SA 1636. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 1419, to move the United States toward greater energy independence and security, to increase the production of clean renewable fuels, to protect consumers from price gouging, to increase the energy efficiency of products, buildings and vehicles, to promote research on and deploy greenhouse gas capture and storage options, and to improve the energy performance of the Federal Government, and for other purposes; which was ordered to lie on the table.

SA 1637. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table.

SA 1638. Mrs. FEINSTEIN (for herself and Mr. BENNETT) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1639. Mr. BINGAMAN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1640. Mr. GRAHAM (for himself and Mr. DORGAN) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1641. Mr. COLEMAN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1642. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1643. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1644. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1645. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1646. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1647. Mrs. CLINTON (for herself, Mr. SANDERS, Mr. LEAHY, and Ms. CANTWELL) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1648. Mr. WYDEN (for himself, Mr. HARKIN, Ms. LANDRIEU, and Mr. SALAZAR) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H .R. 6, supra; which was ordered to lie on the table.

SA 1649. Mr. REED submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1650. Mr. REED submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1651. Mrs. MCCASKILL submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1652. Mr. HAGEL (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1653. Mr. HAGEL submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1654. Mr. HAGEL submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1623. Mr. CARPER submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. __. FEDERAL FLEET FUEL EFFICIENT VEHICLES.

(a) IN GENERAL.—The Secretary of Energy shall coordinate with the Administrator of General Services to ensure that vehicles procured by Federal agencies are the most fuel efficient in their class.

(b) PURCHASE OF ADVANCED TECHNOLOGY VEHICLES.—

(1) The Secretary of Energy shall coordinate with the Administrator of General Services to ensure that, of the vehicles procured after September 30, 2008—

(A) not less than 5 percent of the total number of such vehicles that are procured in each of fiscal years 2009 and 2010 are advanced technology vehicles;

(B) not less than 10 percent of the total number of such vehicles that are procured in each of fiscal years 2011 and 2012 are advanced technology vehicles; and

(C) not less than 15 percent of the total number of such vehicles that are procured each fiscal year after fiscal year 2012 are advanced technology vehicles.

(2) WAIVER.—The Secretary, in consultation with the Administrator, may waive the requirements of paragraph (1) for any fiscal year to the extent that the Secretary determines necessary to adjust to limitations on the commercial availability of advanced technology vehicles.

(c) REPORT ON PLANS FOR IMPLEMENTATION.—At the same time that the President submits the budget for fiscal year 2009 to Congress under section 1105(a) of title 31, United States Code, the Secretary shall submit to Congress a report summarizing the plans for carrying out subsections (a) and (b).

(d) ADVANCED TECHNOLOGY VEHICLE DEFINED.—The term ''advanced technology vehicle'' means a motor vehicle that draws propulsion energy from onboard sources of stored energy that is—

(1) a new advanced lean burn technology motor vehicle (as defined in section 30B(c)(3) of the Internal Revenue Code of 1986);

(2) a new qualified hybrid motor vehicle (as defined in section 30B(d)(3) of such Code); or

(3) a new qualified fuel cell motor vehicle (as defined in section 30B(e)(4) of such Code).

SA 1624. Mrs. DOLE (for herself and Mr. CARPER) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

On page 127, line 5, insert ''(including flow batteries)'' after ''batteries''.

SA 1625. Mrs. DOLE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REPORT ON OIL AND GAS OPERATIONS IN SUDAN.

Not later than 30 days after the date of the enactment of this Act, the Secretary of Treasury, in consultation with the Secretary of State and Secretary of Energy, shall report to the Congress and the President regarding persons and entities engaged in oil or gas operations in Sudan with respect to which sanctions are applicable under Executive Order 13400 (71 Fed. Reg. 25483, May 1, 2006).

SA 1626. Mrs. DOLE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

On page 138, line 3, strike ''oil consumption'' and insert ''reliance on foreign sources of oil''.

On page 139, strike lines 5 through 9 and insert the following:

(2) LIMITATIONS.—

(A) ADVERTISING.—In carrying out this section, the Secretary shall allocate not less than 85 percent of funds made available under subsection (e) for each fiscal year for the advertising functions specified under paragraph (1)(A).

(B) PROHIBITION ON CERTAIN USES.—None of the funds made available under subsection (e) shall be used—

(i) for partisan political purposes, or for express advocacy in support of, or to defeat, any clearly identified—

(I) political candidate;
(II) ballot initiative; or
(III) legislative or regulatory proposal;
(ii) to fund advertising that features any elected official, person seeking elected office, cabinet-level official, or other Federal official employed pursuant to section 213 of schedule C of title 5, Code of Federal Regulations (or successor regulations); or
(iii) to fund advertising that does not contain a primary message in accordance with subsection (a).
(3) MATCHING REQUIREMENT.—The amount of funds made available under subsection (e) for the procurement of media time or space for the campaign under this section shall be matched by an equal amount of non-Federal funds, to be provided in cash or in-kind.

SA 1627. Mr. KOHL (for himself and Mr. BURR) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

On page 161, between lines 2 and 3, insert the following:

SEC. 269. USE OF HIGHLY ENERGY EFFICIENT COMMERCIAL WATER HEATING EQUIPMENT IN FEDERAL BUILDINGS.

(a) IN GENERAL.—Title 40, United States Code is amended—
(1) by redesignating sections 3313 through 3315 as sections 3314 through 3316, respectively; and
(2) by inserting after section 3312 the following:

"SEC. 3313. USE OF HIGHLY ENERGY-EFFICIENT COMMERCIAL WATER HEATING EQUIPMENT IN FEDERAL BUILDINGS.

''(a) DEFINITIONS.—In this section:
''(1) ADMINISTRATOR.—The term 'Administrator' means the Administrator of General Services.
''(2) HIGHLY ENERGY-EFFICIENT COMMERCIAL WATER HEATER.—The term 'highly energy-efficient commercial water heater' means a commercial water heater that—
''(A) meets applicable standards for water heaters under the Energy Star program established by section 324A of the Energy Policy and Conservation Act (42 U.S.C. 6294a); or
''(B) has thermal efficiencies of not less than—
''(i) 90 percent for gas units with inputs of a rate that is not higher than 500,000 British thermal units per hour; or
''(ii) 87 percent for gas units with inputs of a rate that is higher than 500,000 British thermal units per hour.
''(b) MAINTENANCE OF PUBLIC BUILDINGS.—Each commercial water heater that is replaced by the Administrator in the normal course of maintenance, or determined by the Administrator to be replaceable to generate substantial energy savings, shall be replaced, to the maximum extent feasible (as determined by the Administrator) with a highly energy-efficient commercial water heater.
''(c) CONSIDERATIONS.—In making a determination under this section relating to the installation of a highly energy-efficient commercial water heater, the Administrator shall consider—
''(1) the life-cycle cost effectiveness of the highly energy-efficient commercial water heater;
''(2) the compatibility of the highly energy-efficient commercial water heater with equipment that, on the date on which the Administrator makes the determination, is installed in the public building; and
''(3) whether the use of the highly energy-efficient commercial water heater could interfere with the productivity of any activity carried out in the public building.''.
(b) EFFECTIVE DATE.—The amendment made by subsection (a) takes effect on the date that is 180 days after the date of enactment of this Act.

SA 1628. Mr. BUNNING (for himself, Mr. DOMENICI, Mr. ENZI, Mr. CRAIG, and Mr. MARTINEZ) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; as follows:

Redesignate sections 141 through 150 as sections 151 through 160.
Redesignate subtitle C of title I as subtitle D.
After subtitle B of title I, insert the following:

Subtitle C—Clean Coal-Derived Fuels for Energy Security

SEC. 141. SHORT TITLE.

This subtitle may be cited as the ''Clean Coal-Derived Fuels for Energy Security Act of 2007''.

SEC. 142. DEFINITIONS.

In this subtitle:
(1) CLEAN COAL-DERIVED FUEL.—
(A) IN GENERAL.—The term ''clean coal-derived fuel'' means aviation fuel, motor vehicle fuel, home heating oil, or boiler fuel that is—
(i) substantially derived from the coal resources of the United States; and
(ii) refined or otherwise processed at a facility located in the United States that captures up to 100 percent of the carbon dioxide emissions that would otherwise be released at the facility.
(B) INCLUSIONS.—The term ''clean coal-derived fuel'' may include any other resource that is extracted, grown, produced, or recovered in the United States.
(2) COVERED FUEL.—The term ''covered fuel'' means—
(A) aviation fuel;
(B) motor vehicle fuel;
(C) home heating oil; and
(D) boiler fuel.
(3) SMALL REFINERY.—The term ''small refinery'' means a refinery for which the average aggregate daily crude oil throughput for a calendar year (as determined by dividing the aggregate throughput for the calendar year by the number of days in the calendar year) does not exceed 75,000 barrels.

SEC. 143. CLEAN COAL-DERIVED FUEL PROGRAM.

(a) PROGRAM.—
(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the President shall promulgate regulations to ensure that covered fuel sold or introduced into commerce in the United States (except in noncontiguous States or territories), on an annual average basis, contains the applicable volume of clean coal-derived fuel determined in accordance with paragraph (4).
(2) PROVISIONS OF REGULATIONS.—Regardless of the date of promulgation, the regulations promulgated under paragraph (1)—
(A) shall contain compliance provisions applicable to refineries, blenders, distributors, and importers, as appropriate, to ensure that—
(i) the requirements of this subsection are met; and
(ii) clean coal-derived fuels produced from facilities for the purpose of compliance with this subtitle achieve at least a 20 percent reduction in life cycle greenhouse gas emissions compared to gasoline; but
(B) shall not—
(i) restrict geographic areas in the contiguous United States in which clean coal-derived fuel may be used; or
(ii) impose any per-gallon obligation for the use of clean coal-derived fuel.
(3) RELATIONSHIP TO OTHER REGULATIONS.—Regulations promulgated under this paragraph shall, to the maximum extent practicable, incorporate the program structure, compliance and reporting requirements established under the final regulations promulgated to implement the renewable fuel program established by the amendment made by section 1501(a)(2) of the Energy Policy Act of 2005 (Public Law 109–58; 119 Stat. 1067).
(4) APPLICABLE VOLUME.—
(A) CALENDAR YEARS 2016 THROUGH 2022.—For the purpose of this subsection, the applicable volume for any of calendar years 2016 through 2022 shall be determined in accordance with the following table:

Calendar year:	Applicable volume of clean coal-derived fuel (in billions of gallons):
2016	0.75
2017	1.5
2018	2.25
2019	3.75
2020	4.5
2021	5.25
2022	6.0

(B) CALENDAR YEAR 2023 AND THEREAFTER.—Subject to subparagraph (C), for the purposes of this subsection, the applicable volume for calendar year 2023 and each calendar year thereafter shall be determined by the President, in coordination with the Secretary and the Administrator of the Environmental Protection Agency, based on a review of the implementation of the program during calendar years 2016 through 2022, including a review of—
(i) the impact of clean coal-derived fuels on the energy security of the United States;
(ii) the expected annual rate of future production of clean coal-derived fuels; and
(iii) the impact of the use of clean coal-derived fuels on other factors, including job creation, rural economic development, and the environment.
(C) MINIMUM APPLICABLE VOLUME.—For the purpose of this subsection, the applicable volume for calendar year 2023 and each calendar year thereafter shall be equal to the product obtained by multiplying—
(i) the number of gallons of covered fuel that the President estimates will be sold or introduced into commerce in the calendar year; and
(ii) the ratio that—
(I) 6,000,000,000 gallons of clean coal-derived fuel; bears to
(II) the number of gallons of covered fuel sold or introduced into commerce in calendar year 2022.
(b) APPLICABLE PERCENTAGES.—
(1) PROVISION OF ESTIMATE OF VOLUMES OF CERTAIN FUEL SALES.—Not later than October 31 of each of calendar years 2016 through 2021, the Administrator of the Energy Information

Administration shall provide to the President an estimate, with respect to the following calendar year, of the volumes of covered fuel projected to be sold or introduced into commerce in the United States.

(2) DETERMINATION OF APPLICABLE PERCENTAGES.—

(A) IN GENERAL.—Not later than November 30 of each of calendar years 2016 through 2022, based on the estimate provided under paragraph (1), the President shall determine and publish in the Federal Register, with respect to the following calendar year, the clean coal-derived fuel obligation that ensures that the requirements of subsection (a) are met.

(B) REQUIRED ELEMENTS.—The clean coal-derived fuel obligation determined for a calendar year under subparagraph (A) shall—

(i) be applicable to refineries, blenders, and importers, as appropriate;

(ii) be expressed in terms of a volume percentage of covered fuel sold or introduced into commerce in the United States; and

(iii) subject to paragraph (3)(A), consist of a single applicable percentage that applies to all categories of persons specified in clause (i).

(3) ADJUSTMENTS.—In determining the applicable percentage for a calendar year, the President shall make adjustments—

(A) to prevent the imposition of redundant obligations on any person specified in paragraph (2)(B)(i); and

(B) to account for the use of clean coal-derived fuel during the previous calendar year by small refineries that are exempt under subsection (f).

(c) VOLUME CONVERSION FACTORS FOR CLEAN COAL-DERIVED FUELS BASED ON ENERGY CONTENT.—

(1) IN GENERAL.—For the purpose of subsection (a), the President shall assign values to specific types of clean coal-derived fuel for the purpose of satisfying the fuel volume requirements of subsection (a)(4) in accordance with this subsection.

(2) ENERGY CONTENT RELATIVE TO DIESEL FUEL.—For clean coal-derived fuels, 1 gallon of the clean coal-derived fuel shall be considered to be the equivalent of 1 gallon of diesel fuel multiplied by the ratio that—

(A) the number of British thermal units of energy produced by the combustion of 1 gallon of the clean coal-derived fuel (as measured under conditions determined by the Secretary); bears to

(B) the number of British thermal units of energy produced by the combustion of 1 gallon of diesel fuel (as measured under conditions determined by the Secretary to be comparable to conditions described in subparagraph (A)).

(d) CREDIT PROGRAM.—

(1) IN GENERAL.—The President, in consultation with the Secretary and the clean coal-derived fuel requirement of this section.

(2) MARKET TRANSPARENCY.—In carrying out the credit program under this subsection, the President shall facilitate price transparency in markets for the sale and trade of credits, with due regard for the public interest, the integrity of those markets, fair competition, and the protection of consumers.

(e) WAIVERS.—

(1) IN GENERAL.—The President, in consultation with the Secretary and the Administrator of the Environmental Protection Agency, may waive the requirements of subsection (a) in whole or in part on petition by 1 or more States by reducing the national quantity of clean coal-derived fuel required under subsection (a), based on a determination by the President (after public notice and opportunity for comment), that—

(A) implementation of the requirement would severely harm the economy or environment of a State, a region, or the United States; or

(B) extreme and unusual circumstances exist that prevent distribution of an adequate supply of domestically-produced clean coal-derived fuel to consumers in the United States.

(2) PETITIONS FOR WAIVERS.—The President, in consultation with the Secretary and the Administrator of the Environmental Protection Agency, shall approve or disapprove a State petition for a waiver of the requirements of subsection (a) within 90 days after the date on which the petition is received by the President.

(3) TERMINATION OF WAIVERS.—A waiver granted under paragraph (1) shall terminate after 1 year, but may be renewed by the President after consultation with the Secretary and the Administrator of the Environmental Protection Agency.

(f) SMALL REFINERIES.—

(1) TEMPORARY EXEMPTION.—

(A) IN GENERAL.—The requirements of subsection (a) shall not apply to small refineries until calendar year 2018.

(B) EXTENSION OF EXEMPTION.—

(i) STUDY BY SECRETARY.—Not later than December 31, 2013, the Secretary shall submit to the President and Congress a report describing the results of a study to determine whether compliance with the requirements of subsection (a) would impose a disproportionate economic hardship on small refineries.

(ii) EXTENSION OF EXEMPTION.—In the case of a small refinery that the Secretary determines under clause (i) would be subject to a disproportionate economic hardship if required to comply with subsection (a), the President shall extend the exemption under subparagraph (A) for the small refinery for a period of not less than 2 additional years.

(2) PETITIONS BASED ON DISPROPORTIONATE ECONOMIC HARDSHIP.—

(A) EXTENSION OF EXEMPTION.—A small refinery may at any time petition the President for an extension of the exemption under paragraph (1) for the reason of disproportionate economic hardship.

(B) EVALUATION OF PETITIONS.—In evaluating a petition under subparagraph (A), the President, in consultation with the Secretary, shall consider the findings of the study under paragraph (1)(B) and other economic factors.

(C) DEADLINE FOR ACTION ON PETITIONS.—The President shall act on any petition submitted by a small refinery for a hardship exemption not later than 90 days after the date of receipt of the petition.

(3) OPT-IN FOR SMALL REFINERIES.—A small refinery shall be subject to the requirements of subsection (a) if the small refinery notifies the President that the small refinery waives the exemption under paragraph (1).

(g) PENALTIES AND ENFORCEMENT.—

(1) CIVIL PENALTIES.—

(A) IN GENERAL.—Any person that violates a regulation promulgated under subsection (a), or that fails to furnish any information required under such a regulation, shall be liable to the United States for a civil penalty of not more than the total of—

(i) $25,000 for each day of the violation; and

(ii) the amount of economic benefit or savings received by the person resulting from the violation, as determined by the President.

(B) COLLECTION.—Civil penalties under subparagraph (A) shall be assessed by, and collected in a civil action brought by, the Secretary or such other officer of the United States as is designated by the President.

(2) INJUNCTIVE AUTHORITY.—

(A) IN GENERAL.—The district courts of the United States shall have jurisdiction to—

(i) restrain a violation of a regulation promulgated under subsection (a);

(ii) award other appropriate relief; and

(iii) compel the furnishing of information required under the regulation.

(B) ACTIONS.—An action to restrain such violations and compel such actions shall be brought by and in the name of the United States.

(C) SUBPOENAS.—In the action, a subpoena for a witness who is required to attend a district court in any district may apply in any other district.

(h) EFFECTIVE DATE.—Except as otherwise specifically provided in this section, this section takes effect on January 1, 2016.

SA 1629. Mr. KYL submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title I, add the following:

SEC. 151. STUDY OF FEASIBILITY AND IMPACT OF RENEWABLE FUEL AND ADVANCED BIOFUEL REQUIREMENTS.

(a) IN GENERAL.—The Secretary, in consultation with the Administrator of the Environmental Protection Agency, the Administrator of the Energy Information Administration, the Secretary of Agriculture, and the Director of the United States Geological Service, shall conduct a study—

(1) to determine the feasibility of meeting the renewable fuel and advanced biofuel requirements of section 111; and

(2) to evaluate the impact of meeting those standards in accordance with the phase-in schedule required under section 111.

(b) SCOPE.—In conducting the study, the Secretary shall consider—

(1) the technological feasibility and economic impact of the renewable fuel and advanced biofuel requirements of section 111;

(2) the environmental impact of the requirements, including the impact on water supply;

(3) the overall costs and benefits of meeting the requirements;

(4) the degree in which the requirements will maintain a level playing field among all biofuel technology alternatives;

(5) the degree to which energy security benefits can be measured and considered, measured in part by how much less oil is imported;

(6) the impact on fuel fungibility;

(7) the impact on price volatility;

(8) the impact on overall energy supply and distribution;

(9) the capability of infrastructure for alternative fuels, including distribution and transportation;

(10) the actual and projected domestic renewable fuel production capability, by type;

(11) actual and projected imports of renewable fuel, by type;

(12) the impact on domestic food prices;

(13) the impact on tallow prices; and

(14) the impact on domestic animal agriculture feedstocks.

(c) PEER REVIEW.—The Secretary shall enter into an arrangement with the National Academy of Sciences under which the Academy shall conduct a peer review of the results of the study.

(d) REPORTS.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the results of the study required under this section.

(2) UPDATES.—Not later than 2 years after the date of submission of the report under paragraph (1), and every 2 years thereafter through December 31, 2022, the Secretary shall submit to Congress an update on the study required under this section.

(e) ADJUSTMENT OF ALTERNATIVE FUEL STANDARD AND SCHEDULE.—

(1) IN GENERAL.—Notwithstanding any other provision of this title, if the study or an update required under this section demonstrates a shortfall in the supply of the actual or projected renewable fuel or advanced biofuel production and imports necessary to meet the phase-in schedule required under section 111, not later than 1 year after the date on which a report or update is submitted to Congress, the Administrator of the Environmental Protection Agency shall promulgate, through notice and comment rulemaking, such regulations as are necessary to make a downward adjustment in the level of renewable fuel or advanced biofuel required under section 111 or adjust the phase-in schedule, or both, to alleviate the shortfall.

(2) EFFECTIVE DATE.—Any adjustment of the phase-in schedule under paragraph (1) shall take effect not earlier than 90 days after the date of publication of the final rule in the Federal Register, as determined by the Administrator of the Environmental Protection Agency.

SA 1630. Mr. CASEY submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

On page 161, strike lines 6 though 12 and insert the following:

SEC. 271. WEATHERIZATION ASSISTANCE FOR LOW-INCOME PERSONS.

(a) ENERGY-EFFICIENT APPLIANCE PURCHASE ASSISTANCE FOR LOW-INCOME PERSONS PROGRAM.—Section 413 of the Energy Conservation and Production Act (42 U.S.C. 6863) is amended by adding at the end the following:

''(f) ENERGY-EFFICIENT APPLIANCE PURCHASE ASSISTANCE FOR LOW-INCOME PERSONS PROGRAM.—

''(1) IN GENERAL.—As part of the weatherization program established under this part, the Administrator shall carry out a program, to be called the 'Energy-Efficient Appliance Purchase Assistance for Low-Income Persons Program', under which the Administrator shall provide grants to low-income persons to pay the Federal share of the cost of purchasing eligible home appliances.

''(2) ELIGIBLE HOME APPLIANCE.—A grant provided under this subsection may only be used to purchase a home appliance that is certified under the Energy Star program or is otherwise determined by the Administrator to be energy efficient, including a home heating system, home cooling system, refrigerator, water heater, washer, or dryer.

''(3) COST SHARING.—

''(A) FEDERAL SHARE.—The Federal share of a grant provided under this subsection shall be 95 percent of the cost of purchasing an eligible home appliance.

''(B) SOURCE OF NON-FEDERAL SHARE.—The non-Federal share of a grant provided under this subsection may be derived from funds provided by charitable, State, or local organizations or agencies.

''(4) PREFERENCE.—In providing grants under this subsection, the Administrator shall give preference to low-income persons that are located in States that have implemented programs, including programs in partnership with for-profit and nonprofit organizations, that promote the purchase of energy-efficient appliances, as determined by the Administrator.

''(5) ADMINISTRATION.—The terms and conditions of the weatherization program established under this part shall apply to this subsection to the extent determined appropriate by the Administrator.

''(6) FUNDING.—Of the funds that are made available under section 422, the Secretary shall use to carry out this subsection not less than $4,000,000 for each of fiscal years 2008 through 2012.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 422 of the Energy Conservation and Production Act (42 U.S.C. 6872) is amended by striking ''$700,000,000 for fiscal year 2008'' and inserting ''$750,000,000 for each of fiscal years 2008 through 2012''.

SA 1631. Mrs. MCCASKILL submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

On page 161, between lines 2 and 3, insert the following:

SEC. 269. FEDERAL FLEET FUELING CENTERS.

(a) IN GENERAL.—Not later than January 1, 2010, the head of each Federal agency shall install at least 1 renewable fuel pump at each Federal fleet fueling center in the United States under the jurisdiction of the head of the Federal agency.

(b) REPORT.—Not later than October 31 of the first calendar year after the date of enactment of this Act, and each October 31 thereafter, the President shall submit to Congress a report that describes the progress towards complying with subsection (a), including identifying—

(1) the number of Federal fleet fueling centers that contain at least 1 renewable fuel pump; and

(2) the number of Federal fleet fueling centers that do not contain any renewable fuel pumps.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

SA 1632. Mr. FEINGOLD submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

On page 161, strike lines 13 through 17 and insert the following:

SEC. 272. STATE ENERGY CONSERVATION PLANS.

(a) FINDINGS AND PURPOSES.—Section 361 of the Energy Policy and Conservation Act (42 U.S.C. 6321) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking ''and'' at the end;

(B) by redesignating paragraph (3) as paragraph (4); and

(C) by inserting after paragraph (2) the following:

''(3) the dependence of the United States on foreign energy sources (especially petroleum products) has long-term security implications that necessitate actions at the local and national levels to increase energy independence, particularly through support of sustainable domestic production of renewable energy; and''; and

(2) in subsection (b)—

(A) by striking ''energy and reduce'' and inserting ''energy, reduce''; and

(B) by inserting '', and increase energy independence through use of local renewable energy'' after ''demand''.

(b) OPTIONAL FEATURES OF PLANS.—Section 362(d) of the Energy Policy and Conservation Act (42 U.S.C. 6322(d)) is amended—

(1) in paragraph (16), by striking ''and'' after the semicolon at the end;

(2) by redesignating paragraph (17) as paragraph (18); and

(3) by inserting after paragraph (16) the following:

''(17) programs to improve energy independence through the production and use of domestic renewable energy, with an emphasis on programs that—

''(A) maximize the benefits for local communities through local, cooperative, or small business ownership; and

''(B) are environmentally sustainable; and''.

(c) SUPPLEMENTAL STATE ENERGY INDEPENDENCE ASSESSMENT AND PLANNING PROGRAMS.—Section 362 of the Energy Policy and Conservation Act (42 U.S.C. 6322) is amended by adding at the end the following:

''(h) SUPPLEMENTAL STATE ENERGY INDEPENDENCE ASSESSMENT AND PLANNING PROGRAMS.—

''(1) IN GENERAL.—As part of a review conducted under subsection (g), each State is encouraged to consider filing a supplement to the energy conservation plan of the State that includes an energy independence assessment and planning program.

''(2) PLAN.—Each State is encouraged to include in the program a plan that includes—

''(A) a comprehensive assessment of the statewide energy demand and renewable energy production capabilities; and

''(B) 1 or more implementation strategies (including regional coordination) for decreasing dependence on foreign energy sources, including petroleum.

''(3) INFORMATIONAL PURPOSES.—The submission of the plan and program shall be for informational purposes only and shall not require approval by the Secretary.

''(4) CONTENTS.—In preparing a program of a State under paragraph (1), each State is encouraged to consider ways to—

''(A) support local and regional sustainable bioenergy use and production (including support of small businesses);

''(B) support and coordinate between other renewable energy, energy efficiency, and conservation activities at the local, State, regional, or Federal level;

''(C) in the case of bioenergy production, support a broad range of farm sizes, crops (including agroforestry), and production

techniques, with a particular focus on small- and moderate-sized family farms;

''(D) maximize the public value of developing and using sustainable bioenergy, including activities that—

''(i) manage energy usage through energy efficiency and conservation;

''(ii) develop new energy sources in a manner that is economically viable, ecologically sound, and socially responsible; and

''(iii) grow or produce biomass in a sustainable manner that—

''(I) has net environmental benefits; and

''(II) takes into account factors such as relative water quality, soil quality, air quality, wildlife impacts, net energy balance, crop diversity, and provision of adequate income for agricultural producers; and

''(E) support local and farmer-owned projects in order to retain and maximize local and regional economic benefits.''.

(d) STATE ENERGY EFFICIENCY GOALS.—Section 364 of the Energy Policy and Conservation Act (42 U.S.C. 6324) is amended—

(1) by striking the section heading and all that follows through ''Each'' and inserting the following:

''SEC. 364. STATE ENERGY EFFICIENCY GOALS.

''(a) IN GENERAL.—Each''; and

(2) by adding at the end the following:

''(b) ADDITIONAL GOALS.—Each State is encouraged to consider establishing goals for—

''(1) reducing dependence on foreign energy sources; and

''(2) encouraging local sustainable renewable energy production and use in a manner that maximizes benefits to the State and local communities.''.

(e) AUTHORIZATION OF APPROPRIATIONS.—Section 365(f) of the Energy Policy and Conservation Act (42 U.S.C. 6325(f)) is amended by striking ''fiscal year 2008'' and inserting ''each of fiscal years 2008 through 2012''.

SA 1633. Mr. FEINGOLD submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

On page 55, strike lines 3 through 8 and insert the following:

(3) the financial incentives necessary to enhance, to the maximum extent practicable, the biofuels industry of the United States to reduce the dependence of the United States on foreign oil during calendar years 2011 through 2030; and

(4) an evaluation of and recommendations for improvements to current and proposed biofuel and bioenergy incentives, including—

(A) modifications of law (including regulations) and policies to provide or increase incentives for the potential production of bioenergy (at levels greater than in existence as of the date of enactment of this section) to maintain local ownership, control, economic development, and the value-added nature of bioenergy production;

(B) potential limits to prevent excessive payments as the bioenergy industry matures, including variable or countercyclical support or other payment limitations;

(C) an evaluation of incentives at stages in the bioenergy production system (including agricultural production, fuel and energy production, blending, and retail sale), including recommendations regarding the relative cost-effectiveness and benefits to local and regional communities and consumers; and

(D) an assessment of incentives and recommendations to ensure—

(i) the presence and effectiveness of sufficient environmental safeguards; and

(ii) that the use of Federal funds does not contribute to adverse environmental impacts, particularly with respect to the effects on or changes in—

(I) land, air, and water quality; and

(II) land use patterns.

SA 1634. Mr. FEINGOLD submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

On page 163, strike line 8 and insert the following:

(b) PROTECTION FOR SMALL BUSINESS.—Section 111(c)(3) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2621(c)(3)) is amended by striking ''subsection (d)(7) or (8)'' and inserting ''paragraph (7), (8), (16), or (17) of subsection (d)''.

(c) NATURAL GAS UTILITIES.—Section 303(b) of the

SA 1635. Mr. FEINGOLD submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

On page 166, line 21, strike ''; and'' and insert a semicolon.

On page 166, line 24, strike the period and insert ''; and''.

On page 166, between lines 24 and 25, insert the following:

''(4) to increase energy independence with an emphasis on sustainable local and regional renewable energy production and use in a way that maximizes benefits for local and regional communities.

SA 1636. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 1419, to move the United States toward greater energy independence and security, to increase the production of clean renewable fuels, to protect consumers from price gouging, to increase the energy efficiency of products, buildings and vehicles, to promote research on and deploy greenhouse gas capture and storage options, and to improve the energy performance of the Federal Government, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE VIII—MISCELLANEOUS

SEC. 801. STUDY OF THE EFFECT OF PRIVATE WIRE LAWS ON THE DEVELOPMENT OF COMBINED HEAT AND POWER FACILITIES.

(a) STUDY.—

(1) IN GENERAL.—The Secretary, in consultation with the States and other appropriate entities, shall conduct a study of the laws (including regulations) affecting the siting of privately owned electric distribution wires on and across public rights-of-way.

(2) REQUIREMENTS.—The study under paragraph (1) shall include—

(A) an evaluation of—

(i) the purposes of the laws; and

(ii) the effect the laws have on the development of combined heat and power facilities;

(B) a determination of whether a change in the laws would have any operating, reliability, cost, or other impacts on electric utilities and the customers of the electric utilities; and

(C) an assessment of—

(i) whether privately owned electric distribution wires would result in duplicative facilities; and

(ii) whether duplicative facilities are necessary or desirable.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report that describes the results of the study conducted under subsection (a).

SA 1637. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. EXTENSION AND MODIFICATION OF CREDIT FOR NEW ENERGY EFFICIENT HOMES.

(a) EXTENSION.—Subsection (g) of section 45L (relating to termination) of the Internal Revenue Code of 1986 is amended by striking ''December 31, 2008'' and inserting ''December 31, 2013''.

(b) USE OF 2006 IECC STANDARDS.—Clause (i) of section 45L(c)(1)(A) of the Internal Revenue Code of 1986 (relating to energy savings requirements) is amended by striking ''the 2003 International Energy Conservation Code'' and inserting ''the 2006 International Energy Conservation Code''.

(c) CREDIT ALLOWED FOR HOMES INCREASING EFFICIENCY BY 30 PERCENT.—

(1) IN GENERAL.—Subsection (c) of section 45L of the Internal Revenue Code of 1986 is amended by striking ''or'' at the end of paragraph (2), by redesignating paragraph (3) as paragraph (4), and by inserting after paragraph (2) the following new paragraph:

''(3) certified—

''(A) to have a level of annual heating and cooling energy consumption which is at least 30 percent below the annual level described in paragraph (1) but less than 50 percent below such level, and

''(B) to have building envelope component improvements account for at least ⅓ of such 30 percent, or''.

(2) AMOUNT OF CREDIT.—Section 45L(a)(2)(B) of such Code is amended by

striking ''paragraph (3)'' and inserting ''paragraph (3) or (4)''.

(d) INCREASE IN CREDIT AMOUNT.—

(1) IN GENERAL.—Section 45L(a)(2) of the Internal Revenue Code of 1986, as amended by subsection (c)(2), is amended—

(A) in subparagraph (A), by striking ''$2,000'' and inserting ''$4,000'', and

(B) in subparagraph (B), by striking ''$1,000'' and inserting ''$2,000''.

(2) ADDITIONAL CREDIT AMOUNT FOR HOMES IN STATES ADOPTING 2006 IECC.—Paragraph (2) of section 45L(a) of such Code is amended by adding at the end the following new flush sentence:

''In the case of any dwelling unit which is located in a State which has adopted the 2006 International Energy Conservation Code, the amounts under subparagraphs (A) and (B) shall each be increased by $1,000.''.

(e) CLARIFICATION WITH RESPECT TO RENTAL UNITS.—Subparagraph (B) of section 45L(a)(1) of the Internal Revenue Code of 1986 is amended to read as follows:

''(B) acquired by a person from such eligible contractor and used by any person as a residence (whether as a principal residence, for rental, or otherwise) during the taxable year.''.

(f) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

(2) RENTAL UNITS.—The amendment made by subsection (e) shall take effect as if included in section 1332 of the Energy Policy Act of 2005.

SA 1638. Mrs. FEINSTEIN (for herself and Mr. BENNETT) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

On page 152, strike lines 15 through the table and insert the following:

SEC. 264. ENERGY MANAGEMENT REQUIREMENTS FOR FEDERAL BUILDINGS.

Section 543(a) of the National Energy Conservation Policy Act (42 U.S.C. 8253(a)(1)) is amended—

(1) in paragraph (1), by striking the table and inserting the following:

''Fiscal Year	Percentage reduction
2006	2
2007	4
2008	9
2009	12
2010	15
2011	18
2012	21
2013	24
2014	27
2015	30.''; and

(2) by adding at the end the following:

''(4) The Architect of the Capitol shall comply with the requirements of this subsection with respect to the Capitol complex.''.

On page 161, after line 2, insert the following:

SEC. 269. LEGISLATIVE BRANCH ENERGY EFFICIENCY INITIATIVE.

(a) AUDIT.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Architect of the Capitol shall complete—

(A) comprehensive energy audits of the Capitol complex; and

(B) identify and evaluate energy-efficient and renewable-energy projects.

(2) SUBMISSION.—The audits required by paragraph (1) shall be submitted to the Committee on Rules and Administration.

(b) REPORT ON CARBON DIOXIDE EMISSIONS.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Architect of the Capitol, in collaboration with Federal agencies with the relevant expertise to judge both the environmental benefits and technical feasibility of applying carbon sequestration technologies to operations of the Capitol Power Plant, shall complete a feasibility study on options for reducing the carbon dioxide emissions associated with providing electricity, steam, and chilled water to the Capitol complex which shall include—

(A) an analysis of the costs, feasibility and ancillary benefits of reducing the current level of carbon dioxide emissions through the installation of a highly efficient combined heat and power plant;

(B) an analysis of various alternatives for reducing, capturing, and storing carbon associated with the Capitol Power Plant, including options for carbon sequestration, coal gasification, and clean-coal technology; and

(C) recommendations for reducing carbon dioxide emissions from the operations of the Capitol complex by 20 percent by 2020.

(2) BASELINE.—The baseline year for reductions under paragraph (1)(C) shall be fiscal year 2006.

(3) SUBMISSION.—The report required by paragraph (1) shall be submitted to the Committee on Rules and Administration.

(c) BIODIESEL.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Architect of the Capitol shall complete a feasibility study on the technical and economic feasibility of requiring biodiesel in Architect of the Capitol and Senate Sergeant at Arms compatible vehicles.

(2) SUBMISSION.—The report required by paragraph (1) shall be submitted to the Committee on Rules and Administration.

(d) BUILDING INTEGRATED PHOTOVOLTAIC SYSTEM.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Architect of the Capitol shall complete a study assessing the feasibility of installing a Building Integrated Photovoltaic System on the rooftop of the Hart Senate Office Building.

(2) SUBMISSION.—The report required by paragraph (1) shall be submitted to the Committee on Rules and Administration.

SA 1639. Mr. BINGAMAN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

On page 180, line 7, insert ''and storage'' before ''of carbon''.

On page 180, line 11, strike ''the compression'' and insert ''advanced compression''.

On page 180, line 18, strike ''and''.

Beginning on page 180, strike line 19 and all that follows through page 181, line 9, and insert the following:

''(v) research and development of new and improved technologies for—

''(I) carbon use, including recycling and reuse of carbon dioxide; and

''(II) the containment of carbon dioxide in the form of solid materials or products derived from a gasification technology that does not involve geologic containment or injection; and

''(vi) research and development of new and improved technologies for oxygen separation from air.

On page 181, line 10, strike ''(3)'' and insert ''(2)''.

On page 182, line 2, strike ''and''.

On page182, line 4, strike the period and insert ''; and''.

On page 182, between lines 4 and 5, insert the following:

''(vii) coal-bed methane recovery.

On page 183, line 8, strike ''(4)'' and insert ''(3)''.

On page 183, line 12, insert ''involving at least 1,000,000 tons of carbon dioxide per year'' after ''tests''.

On page 183, line 14, insert ''collect and'' before ''validate''.

On page 184, line 1, strike ''(5)'' and insert ''(4)''.

On page 184, line 7, strike ''(6)'' and insert ''(5)''.

On page 184, line 11, strike ''(7)'' and insert ''(6)''.

On page 186, strike lines 18 through 20 and insert the following:

(6) the work done to develop the Carbon Sequestration Atlas of the United States and Canada that was completed by the Department of Energy.

On page 189, strike lines 14 through 18 and insert the following:

(A) IN GENERAL.—On completion of the assessment, the Secretary of Energy and the Secretary of the Interior shall incorporate the results of the assessment using—

(i) the NatCarb database, to the maximum extent practicable; or

(ii) a new database developed by the Secretary of Energy, as the Secretary of Energy determines to be necessary.

On page 190, line 25, strike ''or''.

On page 191, line 2, strike the period and insert ''; or''.

On page 191, between lines 2 and 3, insert the following:

(G) manufacture biofuels.

On page 191, strike lines 10 through 15 and insert the following:

(2) SCOPE OF AWARD.—An award under this section shall be only for the portion of the project that—

(A) carries out the large-scale capture (including purification and compression) of carbon dioxide;

(B) provides for the cost of transportation and injection of carbon dioxide; and

(C) incorporates a comprehensive measurement, monitoring, and validation program.

On page 192, line 7, insert ''carbon dioxide by volume'' after ''95 percent''.

SA 1640. Mr. GRAHAM (for herself and Mr. DORGAN) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency

and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. HYDROGEN INSTALLATION, INFRASTRUCTURE, AND FUEL COSTS.

(a) IN GENERAL.—Subpart B of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to foreign tax credit, etc.) is amended by adding at the end the following new section:

"SEC. 30D. HYDROGEN INSTALLATION, INFRASTRUCTURE, AND FUEL COSTS.

''(a) ALLOWANCE OF CREDIT.—There shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to the sum of—

''(1) the hydrogen installation and infrastructure costs credit determined under subsection (b), and

''(2) the hydrogen fuel costs credit determined under subsection (c).

''(b) HYDROGEN INSTALLATION AND INFRASTRUCTURE COSTS CREDIT.—

''(1) IN GENERAL.—For purposes of subsection (a), the hydrogen installation and infrastructure costs credit determined under this subsection with respect to each eligible hydrogen production and distribution facility of the taxpayer is an amount equal to—

''(A) 50 percent of so much of the installation costs which when added to such costs taken into account with respect to such facility for all preceding taxable years under this subparagraph does not exceed $200,000, plus

''(B) 30 percent of so much of the infrastructure costs for the taxable year as does not exceed $200,000 with respect to such facility, and which when added to such costs taken into account with respect to such facility for all preceding taxable years under this subparagraph does not exceed $600,000.

Nothing in this section shall permit the same cost to be taken into account more than once.

''(2) ELIGIBLE HYDROGEN PRODUCTION AND DISTRIBUTION FACILITY.—For purposes of this subsection, the term 'eligible hydrogen production and distribution facility' means a hydrogen production and distribution facility which has received from the Secretary an allocation from the national hydrogen installation, infrastructure, and fuel credit limitation.

''(c) HYDROGEN FUEL COSTS CREDIT.—

''(1) IN GENERAL.—For purposes of subsection (a), the hydrogen fuel costs credit determined under this subsection with respect to each eligible hydrogen device of the taxpayer is an amount equal to the qualified hydrogen expenditure amounts with respect to such device.

''(2) QUALIFIED HYDROGEN EXPENDITURE AMOUNT.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'qualified hydrogen expenditure amount' means, with respect to each eligible hydrogen energy conversion device of the taxpayer with a production capacity of not more than 25 kilowatts of electricity per year, the lesser of—

''(i) 30 percent of the amount paid or incurred by the taxpayer during the taxable year for hydrogen which is consumed by such device, and

''(ii) $2,000.

In the case of any device which is not owned by the taxpayer at all times during the taxable year, the $2,000 amount in subparagraph (B) shall be reduced by an amount which bears the same ratio to $2,000 as the portion of the year which such device is not owned by the taxpayer bears to the entire year.

''(B) HIGHER LIMITATION FOR DEVICES WITH MORE PRODUCTION CAPACITY.—In the case of any eligible hydrogen energy conversion device with a production capacity of—

''(i) more than 25 but less than 100 kilowatts of electricity per year, subparagraph (A) shall be applied by substituting '$4,000' for '$2,000' each place it appears, and

''(ii) not less than 100 kilowatts of electricity per year, subparagraph (A) shall be applied by substituting '$6,000' for '$2,000' each place it appears.

''(3) ELIGIBLE HYDROGEN ENERGY CONVERSION DEVICES.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'eligible hydrogen energy conversion device' means, with respect to any taxpayer, any hydrogen energy conversion device which—

''(i) is placed in service after December 31, 2004,

''(ii) is wholly owned by the taxpayer during the taxable year, and

''(iii) has received from the Secretary an allocation from the national hydrogen installation, infrastructure, and fuel credit limitation.

If an owner of a device (determined without regard to this subparagraph) provides to the primary user of such device a written statement that such user shall be treated as the owner of such device for purposes of this section, then such user (and not such owner) shall be so treated.

''(B) HYDROGEN ENERGY CONVERSION DEVICE.—The term 'hydrogen energy conversion device' means—

''(i) any electrochemical device which converts hydrogen into electricity, and

''(ii) any combustion engine which burns hydrogen as a fuel.

''(d) NATIONAL HYDROGEN INSTALLATION, INFRASTRUCTURE, AND FUEL CREDIT LIMITATION.—

''(1) IN GENERAL.—There is a national hydrogen installation, infrastructure, and fuel credit limitation for each fiscal year. Such limitation is $15,000,000 for fiscal year 2008, $30,000,000 for fiscal year 2009, $40,000,000 for fiscal year 2010, and $50,000,000 for each succeeding fiscal year.

''(2) ALLOCATION.—Not later than 90 days after the date of the enactment of this section, the Secretary, in consultation with the Secretary of Energy, shall establish a hydrogen installation, infrastructure, and fuel credit allocation program.

''(e) REDUCTION IN BASIS.—For purposes of this subtitle, if a credit is allowed under this section for any expenditure with respect to any property, the increase in the basis of such property which would (but for this paragraph) result from such expenditure shall be reduced by the amount of the credit so allowed.

''(f) APPLICATION WITH OTHER CREDITS.—

''(1) BUSINESS CREDIT TREATED AS PART OF GENERAL BUSINESS CREDIT.—So much of the credit which would be allowed under subsection (a) for any taxable year (determined without regard to this subsection) that is attributable to amounts which (but for subsection (g) would be allowed as a deduction under section 162 shall be treated as a credit listed in section 38(b) for such taxable year (and not allowed under subsection (a)).

''(2) PERSONAL CREDIT.—The credit allowed under subsection (a) (after the application of paragraph (1)) for any taxable year shall not exceed the excess (if any) of—

''(A) the regular tax liability (as defined in section 26(b)) reduced by the sum of the credits allowable under subpart A and sections 27, 30, 30B, and 30C, over

''(B) the tentative minimum tax for the taxable year.

''(g) DENIAL OF DOUBLE BENEFIT.—The amount of any deduction or other credit allowable under this chapter for any cost taken into account in determining the amount of the credit under subsection (a) shall be reduced by the amount of such credit attributable to such cost.

''(h) RECAPTURE.—The Secretary shall, by regulations, provided for recapturing the benefit of any credit allowable under subsection (a) with respect to any property which ceases to be property eligible for such credit.

''(i) ELECTION NOT TO TAKE CREDIT.—No credit shall be allowed under subsection (a) for any property if the taxpayer elects not to have this section apply to such property.

''(j) REGULATIONS.—The Secretary shall prescribe such regulations as necessary to carry out the provisions of this section.

''(k) TERMINATION.—This section shall not apply to any costs after the earlier of—

''(1) December 31, 2017, or

''(2) the date on which the Secretary estimates that at least 5 percent of all registered passenger motor vehicles are powered by hydrogen.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 38(b) of such Code is amended by striking ''plus'' at the end of paragraph (30), by striking the period at the end of paragraph (31) and inserting ''plus'', and by adding at the end the following new paragraph:

''(32) the portion of the hydrogen installation, infrastructure, and fuel credit to which section 30D(f)(1) applies.''.

(2) Section 55(c)(3) of such Code is amended by inserting ''30D(f)(2),'' after ''30C(d)(2),''.

(3) Section 1016(a) of such Code is amended by striking ''and'' at the end of paragraph (36), by striking the period at the end of paragraph (37) and inserting '', and'', and by adding at the end the following new paragraph:

''(38) to the extent provided in section 30D(e).''.

(4) Section 6501(m) of such Code is amended by inserting ''30D(i),'' after ''30C(e)(5),''.

(5) The table of sections for subpart B of part IV of subchapter A of chapter 1 of such Code is amended by inserting after the item relating to section 30C the following new item:

''Sec. 30D. Hydrogen installation, infrastructure, and fuel costs.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts paid or incurred after December 31, 2007, in taxable years ending after such date.

SA 1641. Mr. COLEMAN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

On page 44, line 4, strike ''processing'' and insert ''harvest, processing, storage''.

On page 44, line 12, strike ''processing'' and insert ''harvest, processing, storage''.

SA 1642. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency

and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

In section 102(4), strike subparagraph (A) and insert the following:

(A) nonmerchantable materials or precommercial thinnings that—

(i) are byproducts of preventive treatments, such as trees, wood, brush, thinnings, chips, and slash, that are removed—

(I) to reduce hazardous fuels;

(II) to reduce or contain disease or insect infestation; or

(III) to restore forest health;

(ii) would not otherwise be used for higher-value products; and

(iii) are harvested from National Forest System land or public land (as defined in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702))—

(I) where permitted by law; and

(II) in accordance with—

(aa) applicable land management plans; and

(bb) the requirements for old-growth maintenance and restoration and large-tree retention of subsections (e)(2) and (f) of section 102 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6512); or

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SA 1643. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title I, add the following:

SEC. 151. STUDY OF MARGINAL PRODUCTION COST OF REQUIRING USE OF FLEXIBLE FUEL MIXTURES IN CERTAIN VEHICLES.

(a) DEFINITION OF FLEXIBLE FUEL MIXTURE.—In this section, the term ''flexible fuel mixture'' means—

(1) any mixture of gasoline and ethanol, not more than 85 percent of which is ethanol, as measured by volume;

(2) any mixture of gasoline and methanol, not more than 85 percent of which is methanol, as measured by volume; and

(3) diesel or biodiesel, of which 85 percent is biodiesel, as measured by volume.

(b) STUDY.—The Secretary shall conduct a study of the likely average marginal production cost of requiring that each new passenger vehicle with a weight of less than 10,000 pounds that is sold in the United States shall be capable of using a flexible fuel mixture.

(c) REPORT.—Not later than 90 days after the date of enactment of this Act, using funds made available to the Secretary, the Secretary shall prepare and submit to Congress a report describing the results of the study under subsection (b).

SA 1644. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

On page 141, after line 23, add the following:

SEC. 255. STUDY OF SMART GRID SYSTEM.

(a) IN GENERAL.—The Secretary, acting through the Director of the Office of Electricity Delivery and Energy Reliability (referred to in this section as the ''Secretary''), shall conduct a study to assess the costs and benefits of modernizing the electric transmission and distribution grid (including investments relating to advanced grid technologies).

(b) INPUT FROM OTHER ENTITIES.—

(1) PARTICIPATION.—In conducting the study under subsection (a), the Secretary shall provide to any interested individual or entity an opportunity to participate in the study, including—

(A) consumers of electricity;

(B) manufacturers of components; and

(C) representatives of—

(i) the government of any State;

(ii) the electric utility industry;

(iii) the smart grid system; and

(iv) any electric utility.

(2) CONSIDERATION OF INPUT.—The Secretary may consider the input of any interested individual or entity described in paragraph (1).

(3) AUTHORITY OF SECRETARY.—In conducting the study under subsection (a), the Secretary may require any electric utility to provide to the Secretary any information relating to the deployment of smart grid systems and technologies.

(c) REPORT.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary shall submit to Congress and the President a report that—

(A) covers the transmission and distribution components of the electric transmission and distribution grid; and

(B) includes—

(i) an updated inventory of smart grid systems in existence as of the date of enactment of this Act;

(ii) a description of—

(I) procedures for—

(aa) monitoring the condition of grid infrastructure; and

(bb) determining the need for new grid infrastructure; and

(II) any plan developed by any State, electric utility, or other individual or entity to introduce any smart grid system or technology;

(iii) an assessment relating to—

(I) any constraint relating to the deployment of smart grid technology;

(II) the potential benefits resulting from the introduction of smart grid systems, including benefits relating to—

(aa) energy efficiency;

(bb) the improved reliability and security of electricity;

(cc) the reduced price of electricity;

(dd) the ability to facilitate real-time electricity pricing; and

(ee) the improved integration of renewable resources; and

(III) the ancillary benefits for any other economic sector or activity outside of the electricity sector; and

(iv) any recommendations for legislative or regulatory changes to remove barriers and create incentives for the implementation of the smart grid system.

(2) BIANNUAL UPDATES.—Not later that 180 days after the date on which the Secretary submits to Congress and the President the report under paragraph (1), and biannually thereafter, the Secretary shall update the report.

SEC. 256. SMART GRID TECHNOLOGY RESEARCH, DEVELOPMENT, AND DEMONSTRATION.

(a) POWER GRID DIGITAL INFORMATION TECHNOLOGY.—The Secretary, in consultation with electric utilities, the States, and other stakeholders, shall carry out a program—

(1) to develop advanced techniques for measuring peak load reductions and energy-efficiency savings from smart metering, demand response, distributed generation, and electricity storage systems;

(2) to investigate means for demand response, distributed generation, and storage to provide ancillary services;

(3) to conduct research to advance the use of wide-area measurement networks, including data mining, visualization, advanced computing, and secure and dependable communications in a highly-distributed environment;

(4) to test new reliability technologies in a grid control room environment against a representative set of local outage and wide area blackout scenarios;

(5) to propose policies to facilitate the transition to real-time electricity pricing based on marginal generation costs;

(6) to develop high-performance computers and algorithms for use in electric transmission system software applications;

(7) to promote the use of underutilized electricity generation capacity in any substitution of electricity for liquid fuels in the transportation system of the United States; and

(8) in consultation with the Federal Energy Regulatory Commission, to propose interconnection protocols to enable electric utilities to access electricity stored in vehicles to help meet peak demand loads.

(b) SMART GRID REGIONAL DEMONSTRATION INITIATIVE.—

(1) IN GENERAL.—The Secretary may establish a smart grid regional demonstration initiative (referred to in this subsection as the ''Initiative'') composed of demonstration projects specifically focused on advanced technologies for use in power grid sensing, communications, analysis, and power flow control.

(2) GOALS.—The goals of the Initiative shall be—

(A) to demonstrate the potential benefits of concentrated investments in advanced grid technologies on a regional grid;

(B) to facilitate the commercial transition from the current power transmission and distribution system technologies to advanced technologies;

(C) to facilitate the integration of advanced technologies in existing electric networks to improve system performance, power flow control, and reliability;

(D) to demonstrate protocols and standards that allow for the measurement and validation of the energy savings and greenhouse gas emission reductions associated with the installation and use of energy efficiency and demand response technologies and practices; and

(E) to investigate differences in each region and regulatory environment.

(3) DEMONSTRATION PROJECTS.—

(A) IN GENERAL.—In carrying out the Initiative, the Secretary shall carry out smart grid demonstration projects in up to 5 electricity control areas, including at least 1 area in which the majority of generation and transmission assets are controlled by a tax-exempt entity.

(B) COOPERATION.—A demonstration project under subparagraph (A) shall be carried

out in cooperation with the electric utility that owns the grid facilities in the electricity control area in which the demonstration project is carried out.

(C) FEDERAL SHARE OF COST OF TECHNOLOGY INVESTMENTS.—The Secretary shall provide to an electric utility described in subparagraph (B) financial assistance for use in paying an amount equal to not more than 50 percent of the cost of qualifying advanced grid technology investments made by the electric utility to carry out a demonstration project.

(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated—

(A) to carry out subsection (a), such sums as are necessary for each of fiscal years 2008 through 2012; and

(B) to carry out subsection (b), $100,000,000 for each of fiscal years 2008 through 2012.

SEC. 257. SMART GRID INTEROPERABILITY FRAMEWORK.

(a) FINDINGS.—Congress finds that—

(1) each element of a digitally interactive electric system needs to easily connect and operate in a safe, dependable manner that enhances the efficient and reliable operation of the overall electric system;

(2) without a framework for integrating electric system resources, information exchange agreements would emerge in an ad hoc manner with great inconsistency from region to region, organization to organization, and application to application; and

(3) ad hoc development would lead to—

(A) slower adoption rates of smart grid technology and applications;

(B) inefficiencies from uncoordinated efforts; and

(C) potential solutions that would stifle supplier competition and technical evolution.

(b) INTEROPERABILITY FRAMEWORK.—The Federal Energy Regulatory Commission (referred to in this section as the ''Commission''), in cooperation with the Secretary, shall coordinate with smart grid stakeholders to develop protocols for the establishment of a flexible framework for the connection of smart grid devices and systems that would align policy, business, and technology approaches in a manner that would enable all electric resources, including demand-side resources, to contribute to an efficient, reliable electricity network that will not—

(1) prevent appliances or other electric loads from properly functioning; and

(2) endanger the health and safety of any consumer of an appliance.

(c) SCOPE OF FRAMEWORK.—The framework developed under subsection (b) shall be designed—

(1) to accommodate traditional, centralized generation and transmission resources and consumer distributed resources, including distributed generation, renewable generation, energy storage, energy efficiency, and demand response and enabling devices and systems;

(2) to be flexible to incorporate—

(A) regional and organizational differences; and

(B) technological innovations; and

(3) to include voluntary standards for certain classes of new mass-produced electric appliances and equipment for homes and businesses that are manufactured with the ability to respond to electric grid emergencies and demand response signals by curtailing all, or a portion of, the electrical power consumed by the appliances or equipment in response to an emergency or demand response signal, including through—

(A) load reduction to reduce total electrical demand;

(B) adjustment of load to provide grid ancillary services; and

(C) in the event of a reliability crisis that threatens an outage, short-term load shedding to help preserve the stability of the grid.

(d) DEVELOPMENT OF FRAMEWORK.—In developing the framework, the Secretary of Commerce, acting through the Director of the National Institute of Standards and Technology shall—

(1) consult with—

(A) sectors of the electricity industry, including sectors relating to the generation, transmission, and distribution of electricity;

(B) end-users of electricity;

(C) the Gridwise Architecture Council, the Institute of Electrical and Electronics Engineers, the Association of Home Appliance Manufacturers, the National Electrical Manufacturers Association, and other electric industry groups; and

(D) any appropriate Federal and State agencies; and

(2) not later than 1 year after the date of enactment of this Act, make the proposed framework available for public review and comment.

SEC. 258. STATE CONSIDERATION OF SMART GRID.

Section 111(d) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2621(d)) is amended by adding at the end the following:

''(16) FINANCIAL INCENTIVES FOR SMART GRID DEPLOYMENT.—

''(A) IN GENERAL.—Each State shall consider incentives to encourage the rapid national deployment of a qualified smart grid system, including each incentive described in this paragraph.

''(B) DECOUPLING FROM UTILITY REVENUES.—To improve energy efficiency and use, each State shall consider requiring that a major portion of the profits of each electric utility of the State shall—

''(i) be based on criteria relating to—

''(I) performance;

''(II) achievement of designated goals;

''(III) service reliability; and

''(IV) customer support and assistance; and

''(ii) not be based exclusively on the volume of electricity sales of the electric utility.

''(C) CONSIDERATION OF SMART GRID INVESTMENTS.—Each State shall consider requiring that, prior to undertaking investments in nonadvanced grid technologies, an electric utility of the State demonstrate to the State that the electric utility considered an investment in a qualified smart grid system based on appropriate factors, including—

''(i) cost-effectiveness;

''(ii) improved reliability;

''(iii) security; and

''(iv) system performance.

''(D) RATE RECOVERY.—Each State shall consider authorizing each electric utility of the State to recover from ratepayers any capital, operating expenditure, or other costs of the electric utility relating to the deployment of a qualified smart grid system, including a reasonable rate of return on the capital expenditures of the electric utility for the deployment of the qualified smart grid system.

''(E) ENHANCED RETURN.—Each State shall consider authorizing each electric utility of the State to earn an enhanced return on the capital expenditures of the electric utility for the deployment of a qualified smart grid system, including an amount equal to not less than 130 percent of the maximum return that the electric utility is authorized to earn on other investments and expenditures for the transmission and distribution network of the electric utility.

''(F) OBSOLETE EQUIPMENT.—Each State shall consider authorizing any electric utility or other party of the State to deploy a qualified smart grid system to recover in a timely manner the remaining book-value costs of any equipment rendered obsolete by the deployment of the qualified smart grid system, based on the remaining depreciable life of the obsolete equipment.

''(G) RETAINED SAVINGS.—Each State shall consider authorizing any electric utility or other party deploying a qualified smart grid system to retain an amount equal to not less than 50 percent of the cost savings of the electric utility that are attributable to the use by the electric utility of the qualified smart grid system.

''(17) SMART GRID CONSUMER INFORMATION.—

''(A) IN GENERAL.—Each State shall provide to each electricity consumer located in the State direct access, in written and electronic machine-readable form, information describing—

''(i) the time-based use, price, and source of the electricity delivered to the consumer; and

''(ii) any available optional electricity supplies (including the price and quantity of the optional electricity supplies).

''(B) AVAILABILITY.—In providing to each electricity consumer located in a State the information described in subparagraph (A), the State in which the electricity consumer is located shall—

''(i) update the information on an hourly basis; and

''(ii) ensure that the information is available to each electricity consumer on a daily basis.''.

SA 1645. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. LIMITATION ON RADIO-FREQUENCY INTERFERENCE LEVELS IN THE 902–928 MEGAHERTZ BAND.

(a) FINDINGS.—Congress finds the following:

(1) Unlicensed radio devices are critical to promoting energy efficiency in the United States. This equipment is used by virtually all of the major companies involved in exploration, production, refining, marketing, and transportation of petroleum, petroleum products, and natural gas. Unlicensed devices carry out myriad functions in the Supervisory Control and Data Acquisition (''SCADA'') systems that ensure effective oil and natural gas industry operations and are critical to safety of life and the protection of property and the environment. Systems that rely on these devices remotely operate large production fields, sometimes comprised of thousands of oil and natural gas wells, collect and transmit critical data regarding well pressures, temperature, and rates of flow that are essential to the coordinated and safe operation, and transmit alarms in the event of a leak or other emergency. Similar devices in petroleum and natural gas transmission pipeline operations measure and report flow rate, temperature, and pressure. Energy utilities nationwide use unlicensed systems for remote meter reading, which facilitates time-of-day pricing to spread load and promote energy efficiency, and for SCADA systems that efficiently

manage the hugely complex electric grid and gas distribution networks and minimize disruptive outages.

(2) Unlicensed devices in the hundreds of millions likewise serve other critical societal needs, including transportation, manufacturing, education, health care, entertainment, construction, broadband access, retailing, and data processing.

(3) Unlicensed operation in the 902–928 MHz band is a large and essential component of all the benefits identified in paragraphs (1) and (2).

(4) Increased radio-frequency interference in the 902–928 MHz band would impair many industries, and, in particular, would threaten the integrity and safety of energy production and distribution.

(b) PROTECTION OF UNLICENSED OPERATION.—

(1) IN GENERAL.—In issuing or amending any regulations related to the operation, use, and maintenance of the 902–928 megahertz band, the Federal Communications Commission shall not permit increased levels of radio-frequency interference in such band to unlicensed devices and operations.

(2) EXCEPTION.—The limitation under paragraph (1) shall not apply to any regulations issued by the Federal Communications Commissions that directly govern unlicensed operation in the 902–928 megahertz band.

(3) GOAL.—Consistent with paragraphs (1) and (2), the Federal Communications Commission shall endeavor to maximize efficient use of the 902–928 megahertz band.

(c) DEFINITIONS.—In this section:

(1) UNLICENSED DEVICE.—The term ''unlicensed device'' means an intentional radiator authorized pursuant to part 15 of the Federal Communication Commission's Rules (47 C.F.R. Part 15).

(2) UNLICENSED OPERATION.—The term ''unlicensed operation'' means operation of an unlicensed device.

SA 1646. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

On page 277, between lines 5 and 6, insert the following:

SEC. 521. ONBOARD FUEL ECONOMY INDICATORS AND DEVICES.

(a) IN GENERAL.—Chapter 329 of title 49, United States Code, is amended by adding at the end the following:

''§ 32920. Fuel economy indicators and devices

''(a) IN GENERAL.—The Secretary of Transportation, in consultation with the Administrator of the Environmental Protection Agency, shall prescribe a fuel economy standard for passenger automobiles and light trucks manufactured by a manufacturer in each model year beginning with model year 2012 that requires each such automobile and light truck to be equipped with—

''(1) an onboard electronic instrument that provides real-time and cumulative fuel economy data; and

''(2) an onboard electronic instrument that signals a driver when inadequate tire pressure may be affecting fuel economy.

''(b) EXCEPTION.—Subsection (a) shall not apply to any vehicle that is not subject to an average fuel economy standard under section 32902(b).

''(c) ENFORCEMENT.—Subchapter IV of chapter 301 shall apply to a fuel economy standard prescribed under subsection (a) to the same extent and in the same manner as if that standard were a motor vehicle safety standard under chapter 301.''.

(b) CONFORMING AMENDMENT.—The chapter analysis for chapter 329 of title 49, United States Code, is amended by inserting after the item relating to section 32919 the following:

''32920. Fuel economy indicators and devices.''.

SA 1647. Mrs. CLINTON (for herself, Mr. SANDERS, Mr. LEAHY, and Ms. CANTWELL) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title II, add the following:

SEC. 279. NET METERING AND INTERCONNECTION STANDARDS.

(a) IN GENERAL.—Section 113 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2623) is amended by adding at the end the following:

''(d) NET METERING.—

''(1) DEFINITIONS.—In this subsection and subsection (e):

''(A) CUSTOMER-GENERATOR.—The term 'customer-generator' means the owner or operator of a qualified generation unit.

''(B) ELECTRIC GENERATION UNIT.—The term 'electric generation unit' means—

''(i) a qualified generation unit; and

''(ii) any electric generation unit that qualifies for net metering under a net metering tariff or rule approved by a State.

''(C) LOCAL DISTRIBUTION SYSTEM.—The term 'local distribution system' means any system for the distribution of electric energy to the ultimate consumer of the electricity, whether or not the owner or operator of the system is a retail electric supplier.

''(D) NET METERING.—The term 'net metering' means the process of—

''(i) measuring the difference between the electricity supplied to a customer-generator and the electricity generated by the customer-generator that is delivered to a local distribution system at the same point of interconnection during an applicable billing period; and

''(ii) providing an energy credit to the customer-generator in the form of a kilowatt-hour credit for each kilowatt-hour of energy produced by the customer-generator from a qualified generation unit.

''(E) QUALIFIED GENERATION UNIT.—The term 'qualified generation unit' means an electric energy generation unit that—

''(i) is a fuel cell or uses as the energy source of the unit solar energy, wind, biomass, geothermal energy, anaerobic digestion, or landfill gas, or a combination of the any of those sources;

''(ii) has a generating capacity of not more than 2,000 kilowatts;

''(iii) is located on premises that are owned, operated, leased, or otherwise controlled by the customer-generator;

''(iv) operates in parallel with the retail electric supplier; and

''(v) is intended primarily to offset all or part of the requirements of the customer-generator for electric energy.

''(F) RETAIL ELECTRIC SUPPLIER.—The term 'retail electric supplier' means any electric utility that sells electric energy to the ultimate consumer of the energy.

''(2) ADOPTION.—Not later than 1 year after the date of enactment of this subsection, each State regulatory authority (with respect to each electric utility for which the State regulatory authority has ratemaking authority), and each nonregulated electric utility, shall—

''(A) provide public notice and conduct a hearing with respect to the standards established under paragraph (3); and

''(B) on the basis of the hearing, adopt the standard.

''(3) ESTABLISHMENT OF NET METERING STANDARD.—

''(A) IN GENERAL.—Each retail electric supplier shall offer to arrange (either directly or through a local distribution company or other third party) to make net metering available, on a first-come, first-served basis, to each of the retail customers of the retail electric supplier in accordance with the requirements described in subparagraph (B) and other provisions of this subsection.

''(B) REQUIREMENTS.—The requirements referred to in subparagraph (A) are, with respect to a retail electric supplier, that—

''(i) rates and charges and contract terms and conditions for the sale of electric energy to customer-generators shall be the same as the rates and charges and contract terms and conditions that would be applicable if the customer-generator did not own or operate a qualified generation unit and use a net metering system; and

''(ii) each retail electric supplier shall notify all of the retail customers of the retail electric supplier of the standard established under this paragraph as soon as practicable after the adoption of the standard.

''(4) NET ENERGY MEASUREMENT.—

''(A) IN GENERAL.—Each retail electric supplier shall arrange to provide to customer-generators who qualify for net metering under subsection (b) an electrical energy meter capable of net metering and measuring, to the maximum extent practicable, the flow of electricity to or from the customer, using a single meter and single register.

''(B) IMPRACTICABILITY.—In a case in which it is not practicable to provide a meter to a customer-generator under subparagraph (A), a retail electric supplier (either directly or through a local distribution company or other third party) shall, at the expense of the retail electric supplier, install 1 or more of those electric energy meters for the customer-generators concerned.

''(5) BILLING.—

''(A) IN GENERAL.—Each retail electric supplier subject to subsection (b) shall calculate the electric energy consumption for a customer using a net metering system in accordance with subparagraphs (B) through (D).

''(B) MEASUREMENT OF ELECTRICITY.—The retail electric supplier shall measure the net electricity produced or consumed during the billing period using the metering installed in accordance with paragraph (4).

''(C) BILLING AND CREDITING.—

''(i) BILLING.—If the electricity supplied by the retail electric supplier exceeds the electricity generated by the customer-generator during the billing period, the customer-generator shall be billed for the net electric energy supplied by the retail electric supplier in accordance with normal billing practices.

''(ii) CREDITING.—

''(I) IN GENERAL.—If electric energy generated by the customer-generator exceeds the electric energy supplied by the retail electric supplier during the billing period, the customer-generator shall be billed for the appropriate customer charges for that billing period and credited for the excess electric energy generated during the billing period, with the credit appearing as a kilowatt-hour credit on the bill for the following billing period.

''(II) APPLICATION OF CREDITS.—Any kilowatt-hour credits provided to a customer-generator under this clause shall be applied to customer-generator electric energy consumption on the following billing period bill (except for a billing period that ends in the next calendar year).

''(III) CARRYOVER OF UNUSED CREDITS.—At the beginning of each calendar year, any unused kilowatt-hour credits remaining from the preceding year will carry over to the new year.

''(D) USE OF TIME-DIFFERENTIATED RATES.—

''(i) IN GENERAL.—Except as provided in clause (ii), if a customer-generator is using a meter and retail billing arrangement that has time-differentiated rates—

''(I) the kilowatt-hour credit shall be based on the ratio representing the difference in retail rates for each time-of-use rate; or

''(II) the credits shall be reflected on the bill of the customer-generator as a monetary credit reflecting retail rates at the time of generation of the electric energy by the customer-generator.

''(ii) DIFFERENT TARIFFS OR SERVICES.—A retail electric supplier shall offer a customer-generator the choice of a time-differentiated energy tariff rate or a nontime-differentiated energy tariff rate, if the retail electric supplier offers the choice to customers in the same rate class as the customer-generator.

''(6) PERCENT LIMITATIONS.—

''(A) 4 PERCENT LIMITATION.—The standard established under this subsection shall not apply for a calendar year in the case of a customer-generator served by a local distribution company if the total generating capacity of all customer-generators with net metering systems served by the local distribution company in the calendar year is equal to or more than 4 percent of the capacity necessary to meet the average forecasted aggregate customer peak demand of the company for the calendar year.

''(B) 2 PERCENT LIMITATION.—The standard established under this subsection shall not apply for a calendar year in the case of a customer-generator served by a local distribution company if the total generating capacity of all customer-generators with net metering systems served by the local distribution company in the calendar year using a single type of qualified generation units (as described in paragraph (1)(D)(i)) is equal to or more than 2 percent of the capacity necessary to meet the average forecasted aggregate customer peak demand of the company for the calendar year.

''(C) RECORDS AND NOTICE.—

''(i) RECORDS.—Each retail electric supplier shall maintain, and make available to the public, records of—

''(I) the total generating capacity of customer-generators of the system of the retail electric supplier that are using net metering; and

''(II) the type of generating systems and energy source used by the electric generating systems used by the customer-generators.

''(ii) NOTICE.—Each such retail electric supplier shall notify the State regulatory authority and the Commission at each time at which the total generating capacity of the customer-generators of the retail electric supplier reaches a level that equals or exceeds—

''(I) 75 percent of the limitation specified in subparagraph (B); or

''(II) the limitation specified in subparagraph (B).

''(7) OWNERSHIP OF CREDITS.—

''(A) IN GENERAL.—For purposes of Federal and State laws providing renewable energy credits or greenhouse gas credits, a customer-generator with a qualified generation unit and net metering shall be treated as owning and having title to the renewable energy attributes, renewable energy credits and greenhouse gas emission credits relating to any electricity produced by the qualified generation unit.

''(B) RETAIL ELECTRIC SUPPLIERS.—No retail electric supplier shall claim title to or ownership of any renewable energy attributes, renewable energy credits, or greenhouse gas emission credits of a customer-generator as a result of interconnecting the customer-generator or providing or offering the customer-generator net metering.

''(8) SAFETY AND PERFORMANCE STANDARDS.—

''(A) IN GENERAL.—A qualified generation unit and net metering system used by a customer-generator shall meet all applicable safety and performance and reliability standards established by—

''(i) the national electrical code;

''(ii) the Institute of Electrical and Electronics Engineers;

''(iii) Underwriters Laboratories; or

''(iv) the American National Standards Institute.

''(B) ADDITIONAL CHARGES.—The Commission shall, after consultation with State regulatory authorities and nonregulated local distribution systems and after notice and opportunity for comment, prohibit by regulation the imposition of additional charges by retail electric suppliers and local distribution systems for equipment or services for safety or performance that are in addition to those necessary to meet the standards and requirements referred to in subparagraph (A) and subsection (e).

''(9) DETERMINATION OF COMPLIANCE.—

''(A) IN GENERAL.—Any State regulatory authority (with respect to each electric utility for which the authority has ratemaking authority), and each nonregulated electric utility, may apply to the Commission for a determination that any State net metering requirement or regulations complies with this subsection.

''(B) ORDERS.—In the absence of a determination under subparagraph (A), the Commission, on the motion of the Commission or pursuant to the petition of any interested person, may, after notice and opportunity for a hearing on the record, issue an order requiring against any retail electric supplier or local distribution company to require compliance with this subsection.

''(C) PENALTIES.—

''(i) IN GENERAL.—Any person who violates this subsection or any order of the Commission under this subsection shall be subject to a civil penalty in the amount of $10,000 for each day that the violation continues.

''(ii) ASSESSMENT.—The penalty may be assessed by the Commission, after notice and opportunity for hearing, in the same manner as penalties are assessed under section 31(d) of the Federal Power Act (16 U.S.C. 823b(d)).

''(e) INTERCONNECTION STANDARDS.—

''(1) MODEL STANDARDS.—

''(A) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, the Commission shall publish model standards for the physical connection between local distribution systems and qualified generation units and electric generation units that—

''(i) are qualified generation units (as defined in subsection (d)(1)(D) (other than clause (ii) of subsection (d)(1)(D)); and

''(ii) do not exceed 2,000 kilowatts of capacity.

''(B) PURPOSES.—The model standards shall be designed to—

''(i) encourage the use of qualified generation units; and

''(ii) ensure the safety and reliability of the qualified generation units and the local distribution systems interconnected with the qualified generation units.

''(C) EXPEDITED PROCEDURES.—

''(i) IN GENERAL.—The model standards shall have 2 separate expedited procedures, including—

''(I) a standard for interconnecting qualified generation units of not more than 15 kilowatts; and

''(II) a separate standard that expedites interconnection for qualified generation units of more than 15 kilowatts but not more than 2,000 kilowatts.

''(ii) BEST PRACTICES.—The expedited procedures shall be based on the best practices that have been used in States that have adopted interconnection standards.

''(iii) MODEL RULE.—In designing the expedited procedures, the Commission shall consider Interstate Renewable Energy Council Model Rule MR–I2005.

''(D) ADOPTION OF STANDARDS.—

''(i) IN GENERAL.—Not later than 2 years after the date of enactment of this subsection, each State shall—

''(I) adopt the model standards established under this paragraph, with or without modification; and

''(II) submit the standards to the Commission for approval.

''(ii) APPROVAL OF MODIFICATION.—The Commission shall approve a modification of the model standards only if the Commission determines that the modification is—

''(I) consistent with or superior to the purpose of the standards; and

''(II) required by reason of local conditions.

''(E) NONAPPROVAL OF STANDARDS FOR A STATE.—If standards have not been approved under this paragraph by the Commission for any State during the 2-year period beginning on the date of enactment of this subsection, the Commission shall, by rule or order, enforce the model standards of the Commission in the State until such time as State standards are approved by the Commission.

''(F) UPDATES.—

''(i) IN GENERAL.—Not later than 2 years after the date of enactment of this subsection and after notice and opportunity for comment, the Commission shall publish an update of the model standards, after considering changes in the underlying standards and technologies.

''(ii) AVAILABILITY.—The updates shall be made available to State regulatory authorities for the consideration of the authorities.

''(2) SAFETY, RELIABILITY, PERFORMANCE, AND COST.—

''(A) IN GENERAL.—The standards under this subsection shall establish such measures for the safety and reliability of the affected equipment and local distribution systems as are appropriate.

''(B) ADMINISTRATION.—The standards shall—

''(i) be consistent with all applicable safety and performance standards established by—

''(I) the national electrical code;

''(II) the Institute of Electrical and Electronics Engineers;

''(III) Underwriters Laboratories; or

''(IV) the American National Standards Institute; and

''(ii) impose not more than such minimum cost and technical burdens to the interconnecting customer generator as the Commission determines, by rule, are practicable.

''(3) ADDITIONAL CHARGES.—The model standards under this subsection shall prohibit the imposition of additional charges by local distribution systems for equipment or services for interconnection that are in excess of—

''(A) the charges necessary to meet the standards; and

''(B) the charges and equipment requirements identified in the best practices of States with interconnection standards.

''(4) RELATIONSHIP TO EXISTING LAW REGARDING INTERCONNECTION.—Nothing in this subsection affects the application of section 111(d)(15) relating to interconnection.

''(5) CONSUMER-FRIENDLY CONTRACTS.—

''(A) IN GENERAL.—The Commission shall—

''(i) promulgate regulations that ensure that simplified contracts will be used for the interconnection of electric energy by electric energy transmission or local distribution systems and generating facilities that have a power production capacity of not greater than 2,000 kilowatts; and

''(ii) consider the best practices for consumer-friendly contracts that are used by States or national associations of State regulators.

''(B) LIABILITY OR INSURANCE.—The contracts shall not require liability or other insurance in excess of the liability or insurance that is typically carried by customer-generators for general liability.

''(6) ENFORCEMENT.—

''(A) IN GENERAL.—Any person who violates this subsection shall be subject to a civil penalty in the amount of $10,000 for each day that the violation continues.

''(B) ASSESSMENT.—The penalty may be assessed by the Commission, after notice and opportunity for hearing, in the same manner as penalties are assessed under section 31(d) of the Federal Power Act (16 U.S.C. 823b(d)).''.

(b) CONFORMING AMENDMENT.—Section 1262 of the Public Utility Holding Company Act of 2005 (42 U.S.C. 16451) is amended by striking paragraph (5) and inserting the following:

''(5) ELECTRIC UTILITY COMPANY.—

''(A) IN GENERAL.—The term 'electric utility company' means any company that owns or operates facilities used for the generation, transmission, or distribution of electric energy for sale.

''(B) EXCLUSION.—The term 'electric utility company' does not include an electric generation unit (as defined in section 113(d) of the Public Utility Regulatory Policies Act of 1978).''.

SEC. 280. RELATIONSHIP TO STATE LAW.

Section 117(b) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2627(b)) is amended—

(1) by striking ''Nothing'' and inserting the following:

''(1) IN GENERAL.—Except as provided in paragraph (2), nothing''; and

(2) by adding at the end the following:

''(2) NET METERING AND INTERCONNECTION STANDARDS.—

''(A) IN GENERAL.—Subject to subparagraph (B), no State or nonregulated utility may adopt or enforce any standard or requirement concerning net metering or interconnection that restricts access to the electric power transmission or local distribution system by qualified generators beyond those standards and requirements established under section 113.

''(B) EQUIVALENT OR GREATER ACCESS.—Nothing in this Act precludes a State from adopting or enforcing incentives or requirements to encourage qualified generation and net metering that—

''(i) are in addition to or equivalent to incentives or requirements under section 113; or

''(ii) afford greater access to the electric power transmission and local distribution systems by qualified generators (as defined in section 113) or afford greater compensation or credit for electricity generated by the qualified generators.''.

SA 1648. Mr. WYDEN (for himself, Mr. HARKIN, Ms. LANDRIEU, and Mr. SALAZAR) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

On page 192, after line 21, add the following:

SEC. 305. ASSESSMENT OF CARBON SEQUESTRATION AND METHANE AND NITROUS OXIDE EMISSIONS FROM TERRESTRIAL ECOSYSTEMS.

(a) DEFINITIONS.—In this section:

(1) ADAPTATION STRATEGY.—The term ''adaptation strategy'' means a land use and management strategy that can be used to increase the sequestration capabilities of any terrestrial ecosystem.

(2) ASSESSMENT.—The term ''assessment'' means the national assessment authorized under subsection (b).

(3) COVERED GREENHOUSE GAS.—The term ''covered greenhouse gas'' means carbon dioxide, nitrous oxide, and methane gas.

(4) NATIVE PLANT SPECIES.—The term ''native plant species'' means any noninvasive, naturally occurring plant species within a terrestrial ecosystem.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(6) TERRESTRIAL ECOSYSTEM.—

(A) IN GENERAL.—The term ''terrestrial ecosystem'' means any ecological and surficial geological system on public or private land.

(B) INCLUSIONS.—The term ''terrestrial ecosystem'' includes—

(i) agricultural land;

(ii) forest land;

(iii) grassland;

(iv) freshwater aquatic ecosystems; and

(v) coastal ecosystems (including estuaries).

(b) AUTHORIZATION OF ASSESSMENT.—Not later than 2 years after the date on which the final methodology is published under subsection (f)(3)(D), the Secretary shall complete a national assessment of—

(1) the quantity of carbon stored in and released from terrestrial ecosystems; and

(2) the annual flux of covered greenhouse gases in and out of terrestrial ecosystems.

(c) COMPONENTS.—In conducting the assessment under subsection (b), the Secretary shall—

(1) determine the processes that control the flux of covered greenhouse gases in and out of each terrestrial ecosystem;

(2) estimate the technical and economic potential for increasing carbon sequestration in natural and managed terrestrial ecosystems through management activities or restoration activities in each terrestrial ecosystem;

(3) develop near-term and long-term adaptation strategies or mitigation strategies that can be employed—

(A) to enhance the sequestration of carbon in each terrestrial ecosystem;

(B) to reduce emissions of covered greenhouse gases; and

(C) to adapt to climate change; and

(4) estimate annual carbon sequestration capacity of terrestrial ecosystems under a range of policies in support of management activities to optimize sequestration.

(d) USE OF NATIVE PLANT SPECIES.—In developing restoration activities under subsection (c)(2) and management strategies and adaptation strategies under subsection (c)(3), the Secretary shall emphasize the use of native plant species (including mixtures of many native plant species) for sequestering covered greenhouse gas in each terrestrial ecosystem.

(e) CONSULTATION.—In conducting the assessment under subsection (b) and developing the methodology under subsection (f), the Secretary shall consult with—

(1) the Secretary of Energy;

(2) the Secretary of the Interior;

(3) the Administrator of the Environmental Protection Agency;

(4) the Administrator of the National Oceanic and Atmospheric Administration;

(5) the heads of other relevant agencies;

(6) consortia based at institutions of higher education and with research corporations; and

(7) representatives of agricultural producers and forest and grassland managers.

(f) METHODOLOGY.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall develop a methodology for conducting the assessment.

(2) REQUIREMENTS.—The methodology developed under paragraph (1)—

(A) shall—

(i) determine the method for measuring, monitoring, quantifying, and monetizing covered greenhouse gas emissions and reductions, including methods for allocating and managing offsets or credits; and

(ii) estimate the total capacity of each terrestrial ecosystem to—

(I) sequester carbon; and

(II) reduce emissions of covered greenhouse gases; and

(B) may employ economic and other systems models, analyses, and estimations, to be developed in consultation with each of the individuals described in subsection (e).

(3) EXTERNAL REVIEW AND PUBLICATION.—On completion of a proposed methodology, the Secretary shall—

(A) publish the proposed methodology;

(B) at least 60 days before the date on which the final methodology is published, solicit comments from—

(i) the public; and

(ii) heads of affected Federal and State agencies;

(C) establish a panel to review the proposed methodology published under subparagraph (A) and any comments received under subparagraph (B), to be composed of members—

(i) with expertise in the matters described in subsections (c) and (d); and

(ii) that are, as appropriate, representatives of Federal agencies, institutions of higher education, nongovernmental organizations, State organizations, industry, and international organizations; and

(D) on completion of the review under subparagraph (C), publish in the Federal register the revised final methodology.

(g) ESTIMATE; REVIEW.—The Secretary shall—

(1) based on the assessment, prescribe the data, information, and analysis needed to establish a scientifically sound estimate of—

(A) the carbon sequestration capacity of relevant terrestrial ecosystems;

(B) a national inventory of covered greenhouse gas sources that is consistent with the inventory prepared by the Environmental Protection Agency entitled the ''Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990–2005''; and

(C) the willingness of covered greenhouse gas emitters to pay to sequester the covered greenhouse gases emitted by the applicable emitters in designated terrestrial ecosystems; and

(2) not later than 180 days after the date on which the assessment is completed, submit to the heads of applicable Federal agencies and the appropriate committees of Congress a report that describes the results of the assessment.

(h) DATA AND REPORT AVAILABILITY.—On completion of the assessment, the Secretary shall incorporate the results of the assessment into a web-accessible database for public use.

(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000 for each of the 3 years following the date of enactment of this Act.

SA 1649. Mr. REED submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title I, add the following:

SEC. 131. ENERGY EFFICIENCY RESIDENTIAL GUARANTEES.

Section 1703 of the Energy Policy Act of 2005 (42 U.S.C. 16513) (as amended by section 124(a)) is amended—

(1) in subsection (b), by adding at the end the following:

''(11) Energy efficiency residential financing guarantees provided under subsection (g).''; and

(2) by adding at the end the following:

''(g) ENERGY EFFICIENCY RESIDENTIAL GUARANTEES.—

''(1) IN GENERAL.—The Secretary shall make guarantees under this section for single and multifamily mortgage bonds and related financing for energy efficiency purposes.

''(2) PURPOSES.—The Secretary shall make a guarantee under this subsection only for—

''(A) bonds and related financing issued by State housing and energy agencies; or

''(B) debt financing for energy efficiency measures in new or existing housing supported by Federal financial assistance programs (including the low-income housing credits under section 42 of the Internal Revenue Code of 1986 and project-based rental housing assistance under section 8(o)(13) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(13)) under which energy efficiency projects are approved jointly by State housing finance and energy agencies.

''(3) CRITERIA.—Not later than 90 days after the date of enactment of this subsection, the Secretary (in consultation with State housing finance, energy, weatherization and public utility commissioners) shall promulgate regulations establishing criteria for energy efficiency projects eligible for guarantees under this subsection.

''(4) ADMINISTRATION.—Subsections (a)(2) and (d) shall not apply to a guarantee made under this subsection.''.

SA 1650. Mr. REED submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PUBLIC HOUSING CAPITAL FUND.

Section 9(e)(2)(C) of the United States Housing Act of 1937 (42 U.S.C. 1437g(e)(2)(C)) is amended by adding at the end the following:

''(iv) EXISTING CONTRACTS.—The term of a contract described in clause (i) that, as of the date of enactment of this clause, is in repayment and has a term of not more than 12 years, may be extended to a term of not more than 20 years to permit additional energy conservation improvements without requiring the reprocurement of energy performance contractors.''.

SA 1651. Mrs. MCCASKILL submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

Subtitle ___—Retail Fuel Fairness

SEC. ___1. SHORT TITLE.

This subtitle may be cited as the ''Future Accountability in Retail Fuel Act'' or the ''FAIR Fuel Act''.

SEC. ___2. AUTOMATIC TEMPERATURE COMPENSATION EQUIPMENT.

(a) IN GENERAL.—

(1) NEW MOTOR FUEL DISPENSERS.—Beginning 90 days after the issuance of final regulations under subsection (c), all motor fuel dispensers that are newly installed or upgraded at any retail fuel establishment in the United States shall be equipped with automatic temperature compensation equipment to ensure that any volume of gasoline or diesel fuel measured by such dispenser for retail sale is equal to the volume that such quantity of fuel would equal at the time of such sale if the temperature of the fuel was 60 degrees Fahrenheit.

(2) EXISTING MOTOR FUEL DISPENSERS.—Not later than 5 years after the issuance of final regulations under subsection (c), all motor fuel dispensers at any retail fuel establishment in the United States shall be equipped with the automatic temperature compensation equipment described in paragraph (1).

(b) INSPECTIONS.—

(1) ANNUAL INSPECTION.—Beginning on the date described in subsection (a), State inspectors conducting an initial or annual inspection of motor fuel dispensers are authorized to determine if such dispensers are equipped with the automatic temperature compensation equipment required under subsection (a).

(2) NOTIFICATION.—If the State inspector determines that a motor fuel dispenser does not comply with the requirement under subsection (a), the State inspector is authorized to notify the Secretary of Commerce, through an electronic notification system developed by the Secretary, of such noncompliance.

(3) FOLLOW-UP INSPECTION.—Not earlier than 180 days after a motor fuel dispenser is found to be out of compliance with the requirement under subsection (a), the Secretary shall coordinate a follow-up inspection of such motor fuel dispenser.

(4) FINE.—

(A) IN GENERAL.—The owner or operator of any retail fuel establishment with a motor fuel dispenser subject to the requirement under subsection (a) that is determined to be out of compliance with such requirement shall be subject to a fine equal to $5,000 for each noncompliant motor fuel dispenser.

(B) ADDITIONAL FINE.—If a motor fuel dispenser is determined to be out of compliance during a follow-up inspection, the owner or operator of the retail fuel establishment at which such motor fuel dispenser is located shall be subject to an additional fine equal to $5,000.

(5) USE OF FINES.—Amounts collected under paragraph (4) may be used to carry out section ___3.

(c) RULEMAKING.—

(1) COMMENCEMENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Commerce shall commence a rulemaking procedure to implement the requirement under subsection (a).

(2) FINAL REGULATIONS.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Commerce shall issue final regulations to implement the requirement under subsection (a), including specifying which volume correction factor tables shall be used for the range of gasoline and diesel fuel products that are sold to retail customers in the United States.

(d) DEFINED TERM.—In this subtitle, the term ''automatic temperature compensation equipment'' has the meaning given the term in the National Institute of Standards and Technology Handbook 44.

SEC. ___3. AUTOMATIC TEMPERATURE COMPENSATION EQUIPMENT GRANT PROGRAM.

(a) GRANTS AUTHORIZED.—

(1) IN GENERAL.—The Secretary of Commerce is authorized to award grants to owners and operators of retail fuel establishments to offset the costs associated with the installation of automatic temperature compensation equipment on motor fuel dispensers.

(2) MAXIMUM AMOUNT.—The Secretary may not award a grant under this subsection in excess of—

(A) $1,000 per motor fuel dispenser; or

(B) $10,000 per grant recipient.

(3) INELIGIBLE COMPANIES.—A major integrated oil company (as defined in section 167(h)(5) of the Internal Revenue Code of 1986) is ineligible to receive a grant under this subsection.

(4) USE OF GRANT FUNDS.—Grant funds received under this subsection may be used to offset the costs incurred by owners and operators of retail establishments to acquire and install automatic temperature compensation equipment in accordance with the requirement under section ___2(a).

(b) REIMBURSEMENT OF STATE INSPECTION COSTS.—The Secretary of Commerce is authorized to reimburse States for the costs incurred by the States to—

(1) inspect motor fuel dispensers for compliance with the requirement under section ___2(a); and

(2) notify the Secretary of Commerce of any noncompliance with such requirement.

SEC. ___4. SAVINGS PROVISION.

(a) IN GENERAL.—Nothing in this subtitle may be construed to preempt a State from enacting a law that imposes an equivalent standard or a more stringent standard concerning the retail sale of gasoline at certain temperatures.

(b) DEFINED TERM.—In this section, the term ''equivalent standard'' means any standard that prohibits the retail sale of gasoline with energy content per gallon that is different than the energy content of 1 gallon of gasoline stored at 60 degrees Fahrenheit.

SEC. ___5. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out this subtitle.

SA 1652. Mr. HAGEL (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title II, add the following:

SEC. 2___. TRAFFIC SIGNAL COORDINATION.

(a) IN GENERAL.—Of funds made available to carry out this Act, the Secretary shall use not less than $2,000,000 to carry out, through the Clean Cities Program established under sections 404, 409, and 505 of the Energy Policy Act of 1992 (42 U.S.C. 13231, 13235, 13256), a program for traffic signal coordination.

(b) REQUIREMENT.—The Secretary shall ensure that any activity under the program under subsection (a) shall be carried out by a certified civil engineer with experience relating to traffic patterns, signals, and congestion.

(c) ACTION BY STATE AND LOCAL GOVERNMENTS.—

(1) REPORT.—Each unit of State or local government that receives funds from the Secretary to carry out an activity under the program under subsection (a) shall submit to the Secretary a report describing the quantity of fuel savings of the State as a result of the activity—

(A) by not later than 3 years after the date on which the State receives the funds; and

(B) every 3 years thereafter.

(2) TREATMENT OF EMISSION REDUCTIONS.—Any emission reductions due to fuel savings in a State as a result of an activity under the program under subsection (a) shall be taken into account with respect to the State implementation plan of the State under the Clean Air Act (42 U.S.C. 7401 et seq.), regardless of whether the activity is part of a transportation implementation plan of the State.

SA 1653. Mr. HAGEL submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

On page 192, after line 21, add the following:

SEC. 305. STUDY OF INDUSTRIAL APPLICATIONS OF CARBON DIOXIDE.

The Secretary shall offer to enter into a contract with the National Academy of Sciences under which the National Academy of Sciences shall conduct a study of uses (including industrial applications) for captured carbon dioxide, other than sequestration, enhanced oil recovery, or carbon trading.

SA 1654. Mr. HAGEL submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

On page 47, after line 23, add the following:

SEC. 131. COAL-TO-LIQUID AND GAS-TO-LIQUID TECHNOLOGIES.

(a) FINDINGS.—Congress finds that—

(1) coal-to-liquid and gas-to-liquid technologies are mature, known technologies that are used around the world;

(2) with sizable coal reserves, the United States is ideally suited for the use of coal-to-liquid and gas-to-liquid technologies to produce alternatives for petroleum products; and

(3) it is in the best interest of the national security of the United States to develop and commercialize a synthetic fuels industry.

(b) COAL-TO-LIQUID AND GAS-TO-LIQUID FACILITIES LOAN GUARANTEE PROGRAM.—

(1) AMOUNT.—Section 1702(c) of the Energy Policy Act of 2005 (42 U.S.C. 16512(c)) is amended—

(A) by striking ''Unless'' and inserting the following:

''(1) IN GENERAL.—Except as provided in paragraph (2), unless''; and

(B) by adding at the end the following:

''(2) EXCEPTION.—The amount of a loan guarantee provided under this title for a project described in section 1703(b)(11) shall be not more than the lesser of—

''(A) 50 percent of the project cost of the facility that is the subject of the guarantee, as estimated at the time at which the guarantee is issued; or

''(B) $100,000,000.''.

(2) ELIGIBLE PROJECTS.—Section 1703(b) of the Energy Policy Act of 2005 (42 U.S.C. 16513(b)) is amended by adding at the end the following:

''(11) Coal-to-liquid and gas-to-liquid facilities that produce not less than 150,000,000 gallons of liquid transportation fuel per year.''.

(3) AUTHORIZATION OF APPROPRIATIONS.—Section 1704 of the Energy Policy Act of 2005 (42 U.S.C. 16514) is amended by adding at the end the following:

''(c) COAL-TO-LIQUID AND GAS-TO-LIQUID PROJECTS.—There are authorized to be appropriated such sums as are necessary to provide the cost of guarantees for projects involving coal-to-liquid and gas-to-liquid facilities under section 1703(b)(11).''.

(c) DEPARTMENT OF DEFENSE REQUIREMENTS FOR UTILIZATION OF COAL-TO-LIQUID OR GAS-TO-LIQUID FUEL IN MILITARY AIRCRAFT.—

(1) IN GENERAL.—Subchapter II of chapter 134 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2263. Fuel: minimum requirements for utilization of coal-to-liquid or gas-to-liquid fuel

''(a) IN GENERAL.—Of the total amount of fuel utilized by the Department of Defense in a calendar year, the percentage of such fuel that is coal-to-liquid fuel, gas-to-liquid fuel, or both shall be the percentage as follows:

''(1) In the first applicable utilization year, 5 percent.

''(2) Except as provided in subsection (c), in any year after the first applicable utilization year, a percentage that is 5 greater than the percentage of utilization in the preceding year under this section.

''(b) FIRST APPLICABLE UTILIZATION YEAR.—For purposes of subsection (a)(1), the first applicable utilization year for coal-to-liquid fuel and gas-to-liquid fuel shall be the earlier of the following:

''(1) The first calendar year after the Secretary Defense certifies to Congress that at least 50 percent of the aircraft fleet of the Department has the proven capability to utilize coal-to-liquid fuel or gas-to-liquid fuel without—

''(A) any adverse effect on the aircraft engines of such fleet;

''(B) any adverse effect on the overall performance of the aircraft; and

''(C) any adverse effect on health and safety of the aircrew, passengers, and maintenance crew.

''(2) 2017.

''(c) EXCEPTION.—If as of December 31 of any year in which subsection (a) is in effect the average price of crude petroleum (as determined by the Secretary of Energy in 2007 constant dollars) is less then $40 per barrel, paragraph (2) of that subsection shall not be operative in the next succeeding year.

''(d) MAXIMUM PERCENTAGE.—

''(1) The maximum percentage of the fuel utilized by the Department that is required by this section to be coal-to-liquid fuel, gas-to-liquid fuel, or both is 50 percent.

''(2) Nothing in paragraph (1) shall be construed to limit the percentage of fuel utilized by the Department that is coal-to-liquid fuel or gas-to-liquid fuel.''.

(2) CLERICAL AMENDMENT.—The table of section at the beginning of subchapter II of such chapter is amended by adding at the end the following new item:

''Sec. 2263. Fuel: minimum requirements for utilization of coal-to-liquid or gas-to-liquid fuel.''.

(d) COMMERCIAL AIRCRAFT STUDY.—

(1) IN GENERAL.—The Secretary of Energy, in consultation with the Administrator of the Federal Aviation Administration, shall conduct a study on commercial style aircraft engines and airframes to determine the quantity of fuel produced using coal-to-liquid or gas-to-liquid technology that may be used without compromising health, safety, or the longevity of the engines and airframes, including an analysis of any environmental benefits from using the fuel.

(2) REPORT.—Not later than 180 days after the date of the completion of the study under paragraph (1), the Secretary of Energy shall submit to the appropriate committees of Congress a report that describes—

(A) the results of the study; and

(B) any recommendations of the Secretary of Energy.

NOTICES OF HEARINGS

COMMITTEE ON INDIAN AFFAIRS

Mr. DORGAN. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, June 21, 2007, at 9:30 a.m. in room 485 of the Russell Senate Office Building to conduct an oversight hearing on law enforcement in Indian Country.

Those wishing additional information may contact the Indian Affairs Committee at 224–2251.

COMMITTEE ON RULES AND ADMINISTRATION

Mrs. FEINSTEIN. Mr. President, I wish to announce that the Committee on Rules and Administration will meet on Tuesday, June 26, 2007, at 10 a.m., to conduct a hearing to receive testimony on Smithsonian Institution governance reform and a report by the Smithsonian's Independent Review Committee.

For further information regarding this hearing, please contact Howard Gantman at the Rules and Administration Committee, 224–6352.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. KERRY. Mr. President, I would like to inform the Members that the Committee on Small Business and Entrepreneurship will hold a roundtable entitled ''SBA Reauthorization: Small Business Venture Capital Programs,'' on Thursday, June 21, 2007, at 10 a.m., in room 428A of the Russell Senate Office Building.

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. LEVIN. Mr. President, I would like to announce for the information of the Senate and the public that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs will hold 2 days of hearings entitled ''Excessive Speculation in the Natural Gas Markets.'' The subcommittee's hearing will examine the reasons for the extreme price levels and volatility in the natural gas futures markets in 2006 and how excessive speculation by a single hedge fund, Amaranth LLC, dominated the natural gas market and distorted natural gas futures prices. The hearing also will examine the extent to which excessive speculative trading on unregulated energy exchanges contributed to the price distortions, and the need for statutory and regulatory changes to prevent manipulation and excessive speculation on unregulated exchanges from detrimentally affecting energy prices. Witnesses for the upcoming hearing will include a Counsel to the Permanent Subcommittee on Investigations who will present a report on the subcommittee's year-long investigation, Amaranth, the Commodity Futures Trading Commission, the Intercontinental Exchange, the New York Mercantile Exchange, natural gas users, and academics. A final witness list for the June 25 hearing will be available on Friday, June 22, 2007. A final witness list for the July 9 hearing will be available on Friday, July 6, 2007.

The subcommittee hearings are scheduled for Monday, June 25, 2007, at 11 a.m., in room 106 of the Dirksen Senate Office Building, and Monday, July 9, 2007, at 2:30 p.m., in room 342 of the Dirksen Senate Office Building. For further information, please contact Elise Bean of the Permanent Subcommittee on Investigations at 224–9505.

APPOINTMENTS

The PRESIDING OFFICER. The Chair announces, on behalf of the Republican leader, pursuant to the provisions of S. Res. 105 (adopted April 13, 1989), as amended by S. Res. 149 (adopted October 5, 1993), as amended by Public Law 105–275, further amended by S. Res. 75 (adopted March 25, 1999), amended by S. Res. 383 (adopted October 27, 2000), and amended by S. Res. 355 (adopted November 13, 2002), and further amended by S. Res. 480 (adopted November 20, 2004), the appointment of the following Senators to serve as members of the Senate National Security Working Group for the 110th Congress: Senator RICHARD LUGAR of Indiana, Senator JOHN WARNER of Virginia, Senator JEFF SESSIONS of Alabama, Senator PETE DOMENICI of New Mexico, Senator BOB CORKER of Tennessee.

AMENDING SENATE RESOLUTION 458

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the Senate now proceed to consideration of S. Res. 238, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 238) amending Senate Resolution 458 (98th Congress) to allow the Secretary of the Senate to adjust the salaries of employees who are placed on the payroll of the Senate, under the direction of the Secretary, as a result of the death or resignation of a Senator.

There being no objection, the Senate proceeded to consider the resolution.

Mr. BINGAMAN. I ask unanimous consent that the resolution be agreed to and the motion to reconsider be laid on the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 238) was agreed to, as follows:

S. RES. 238

Resolved, That (a) subsection (a)(1) of the first section of Senate Resolution 458 (98th Congress) is amended by inserting after ''respective salaries'' the following: '', unless adjusted by the Secretary of the Senate with the approval of the Senate Committee on Rules and Administration,''.

(b) The amendment made by subsection (a) shall take effect January 1, 2007.

MEASURE READ THE FIRST TIME—S. 1639

Mr. BINGAMAN. Mr. President, I understand that S. 1639, introduced earlier today by Senators KENNEDY and SPECTER, is at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1639) to provide for comprehensive immigration reform and for other purposes.

Mr. BINGAMAN. Mr. President, I now ask for its second reading and object to my own request.

The PRESIDING OFFICER. Objection is heard.

ORDERS FOR TUESDAY, JUNE 19, 2007

Mr. BINGAMAN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m., Tuesday, June 19; that on Tuesday, following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders reserved for their use later in the day; that there then be a period of morning business for 60 minutes, with Senators permitted to speak for up to 10 minutes, and with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half; that upon the close of morning business, the Senate resume consideration of H.R. 6, as under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. BINGAMAN. Mr. President, if there is no further business to come before the Senate today, I now ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 6:41 p.m., adjourned until Tuesday, June 19, 2007, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate June 18, 2007:

DEPARTMENT OF TRANSPORTATION

PAUL R. BRUBAKER, OF VIRGINIA, TO BE ADMINISTRATOR OF THE RESEARCH AND INNOVATIVE TECHNOLOGY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION, VICE ASHOK G. KAVEESHWAR, RESIGNED.

DEPARTMENT OF STATE

NANCY GOODMAN BRINKER, OF FLORIDA, TO BE CHIEF OF PROTOCOL, AND TO HAVE THE RANK OF AMBASSADOR DURING HER TENURE OF SERVICE, VICE DONALD BURNHAM ENSENAT, RESIGNED.

EUNICE S. REDDICK, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE GABONESE REPUBLIC, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE DEMOCRATIC REPUBLIC OF SAO TOME AND PRINCIPE.

DEPARTMENT OF LABOR

DAVID W. JAMES, OF MISSOURI, TO BE AN ASSISTANT SECRETARY OF LABOR, VICE RANDOLPH JAMES CLERIHUE.

DEPARTMENT OF COMMERCE

STEVEN H. MURDOCK, OF TEXAS, TO BE DIRECTOR OF THE CENSUS, VICE LOUIS KINCANNON.